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S. HRG. 103-1071

# JUVENILE CRIME IN WISCONSIN

Y 4. J 89/2: S. HRG. 103-1071

Juvenile Crime in Wisconsin, S. Hrg....

## HEARINGS

BEFORE THE

SUBCOMMITTEE ON JUVENILE JUSTICE  
OF THE

COMMITTEE ON THE JUDICIARY  
UNITED STATES SENATE

ONE HUNDRED THIRD CONGRESS

SECOND SESSION

ON

DETERMINING STRATEGIES TO COMBAT JUVENILE VIOLENCE AND  
CRIME IN THE STATE OF WISCONSIN

**MILWAUKEE, MADISON, AND APPLETON, WI**

MAY 31, JUNE 1, AND AUGUST 31, 1994

**Serial No. J-103-71**

Printed for the use of the Committee on the Judiciary

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## JUVENILE CRIME IN WISCONSIN

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TUESDAY, MAY 31, 1994

U.S. SENATE,  
SUBCOMMITTEE ON JUVENILE JUSTICE,  
COMMITTEE ON THE JUDICIARY,  
*Milwaukee, WI.*

The committee met, pursuant to notice, at 10:15 a.m. at Washington High School, Milwaukee, WI, Hon. Herbert Kohl (chairman of the subcommittee), presiding.

### OPENING STATEMENT OF HON. HERBERT KOHL, A U.S. SENATOR FROM THE STATE OF WISCONSIN

Senator KOHL. Well, I wish you all good morning. This hearing will come to order.

By now we are all familiar with the statistics that bring us here today. As the charts that you see here indicate, juvenile arrest for murder and rape in Milwaukee have shot up more than 500 percent in the last decade and juvenile arrest for violent crimes throughout Wisconsin have increased more than 50 percent over the same period.

It is, therefore, no wonder that many Wisconsin residents see juvenile crime as one of the most serious problems—if not the most serious problem in our country today. And this concern is entirely justified.

The teen population is expected to rise by as much as 20 percent in the next 10 years. This could mean even more violence and more victims unless we tackle the juvenile crime problem in earnest—tough and smart and without politics.

We look forward this morning to discussing two crucial and very difficult issues: What happened to Wisconsin to cause juvenile crime to skyrocket? Simply put, Why are kids more violent today?

How do we turn the corner on juvenile crime? How do we take back our kids from the culture of drugs and guns and violence?

At the outset, obviously we must do better at a variety of things: most importantly violent juvenile crime—like murder, rape, and armed assault—is typically committed by a relatively small group of hardcore offenders.

We need to treat these people differently than other kids who have gone astray, because society needs to be protected from dangerous criminals, regardless of their age.

Hardcore violent juveniles should not be shuffled through a revolving door juvenile justice system, in 1 day and out on the streets only months later.

Instead we must punish them firmly and effectively. We need to send a message that breaking the law has serious consequences.

We must also face the fact that many juvenile offenders will inevitably be released onto our streets at some point. So the question becomes, what can we do to help insure that when released they do not return to a life of crime? Which, sad to say, is not now the norm.

More than 75 percent of juveniles under the age of 16 released from Milwaukee County facilities end up being reincarcerated within 2 years of their release.

So if we are to be both tough and smart, we have got to ask, "Are these institutions simply teaching kids how to be more violent and accomplished criminals?"

Unless we do better inside our juvenile institutions, we are only setting ourselves up for more of the same. Being smart also means recognizing that violent kids do not sprout out of the ground like weeds.

They learn violence over time, and they generally start out in the Juvenile Justice System having committed lesser offenses.

Indeed, the majority of the kids in our Juvenile Justice System are not violent offenders. Our challenge is to turn them around before they cross the line and become hardcore criminals and to reach these kids even earlier, at a young age, before they even think about crime and delinquency.

We have not yet discovered any easy way to meet this challenge. It's one thing to talk about how our kids lack discipline and responsibility. It is quite another to teach these values.

Most of us agree that the best teacher is the family. And it is, therefore, no surprise that 87 percent of juveniles incarcerated in Wisconsin do not come from two-parent households.

In the absence of traditional family, it falls to the rest of us in the community to pick up the slack, to invest in our kids today so that tomorrow will be less violent and less full of rage.

I am encouraged by programs like the Milwaukee Community Service Corps, which I visited this morning. This program does more than counsel or mentor. It gives kids training and jobs. It teaches the value of hard work and serving the community.

So when I return to my work in Washington, I will be formulating a proposal for the Department of Justice to fund a pilot program which would use the community service model here in Milwaukee to work with nonviolent juvenile offenders.

I am also encouraged by programs like Milwaukee's Drug Abatement Program. We toured a neighborhood this morning, once the most drug infested in the city, that was literally taken back from the drug dealers by police.

The police department succeeded in its drug abatement efforts in no small part because of the cooperation of the community in identifying drug houses. The importance of such cooperation cannot be over emphasized.

Because it would be a mistake to say that government alone can take back our streets. If we are to tackle the crime problem, then all of us will have to do our part, whether by volunteering with children, participating in block watch, or putting together a neighborhood patrol.

The Drug Abatement Program is also proof that dedicated law enforcement officers working creatively within the community can make our streets and our neighborhoods safer.

Quite simply, there is reason to be hopeful. And that is why I've been working hard to enact a crime bill that substantially expands law enforcement's role and gives communities seed money for anticrime efforts.

So here we are today for a number of reasons: to take a close look at promising programs, like Drug Abatement and the Community Service Corps, and make sure they are funded under the Crime Bill.

To listen to the people who are on the front lines fighting and preventing juvenile crime. And to make sure that Washington knows what works in Wisconsin.

If we commit ourselves to tackling the juvenile crime problem on all fronts, from all perspectives, then we are likely to succeed.

Success may not come overnight, but it will come as long as people like all of us here today talk to one another, tell each other what works and, more importantly, dedicate ourselves to working together.

And we should start working together by bringing up now our panel of witnesses. We are pleased to have with us today a group of individuals who dedicated themselves to tackling the crime problem and the problems of children. Their collective experience is very impressive, to say the least.

Shay Bilchik is Associate Deputy Attorney General of the U.S. Department of Justice. Before taking on this position at the Justice Department where he supervises a wide range of Federal law enforcement activities, Mr. Bilchik spent many years as prosecutor in Dane County, FL, prosecuting both juveniles and adults. So he is especially well qualified to join in our discussion today.

I might also add that Mr. Bilchick is rumored to be soon nominated to head the Office of Juvenile Justice at the Justice Department where he will be even more directly involved in dealing with juvenile crime.

E. Michael McCann needs no introduction to most of us in this room. He is, of course, the District Attorney of Milwaukee County. He is a fixture in Milwaukee's law enforcement community. He is man of great integrity and commitment. And he is a recognized expert on juvenile justice issues.

Lt. Lenard Wells is a 21-year veteran of the Milwaukee Police Department. He is here in his capacity as president of the League of Martin, a black police officers' association in Milwaukee. We look forward to his organization's perspective on this issue.

And finally we are happy to have with us this morning Ron Johnson, who is director of the Milwaukee Youth Opportunities Collaborative. While the rest of us talk about how our kids these days need role models and mentors and activities, he is out on the streets providing all of this and more.

Gentlemen, we are pleased to have you with us today; and we ask you to keep your statements to about 5 minutes so that we can have time for questions.

I would first call on Mr. Bilchik.

PANEL CONSISTING OF SHAY BILCHIK, ASSOCIATE DEPUTY ATTORNEY GENERAL, U.S. DEPARTMENT OF JUSTICE; E. MICHAEL MCCANN, DISTRICT ATTORNEY OF MILWAUKEE COUNTY; LT. LENARD WELLS, MILWAUKEE POLICY DEPARTMENT, AND PRESIDENT OF THE LEAGUE OF MARTIN; AND RON JOHNSON, DIRECTOR, MILWAUKEE YOUTH OPPORTUNITIES COLLABORATIVE

### STATEMENT OF SHAY BILCHIK

Mr. BILCHIK. Thank you, Senator Kohl. Thank you for the opportunity to be in Wisconsin today. I'm very pleased to be here and to have an opportunity to discuss with you and the people in attendance juvenile justice issues in the State of Wisconsin and as those issues parlay into national issues which we are facing at the present time.

As you have pointed out many times in your subcommittee hearings and legislative initiatives, the Federal government has a crucial role to play in assisting States and localities with juvenile justice programs and policies.

I'm here today to assure you, Senator, that under the leadership of Attorney General Janet Reno, the Department of Justice is prepared to help you and the people of Wisconsin address the serious problem of youth crime and violence.

In its recent "Kids Count" Report and as indicated on these charts, the Annie E. Casey Foundation documented a 46 percent increase between 1985 and 1991 in Wisconsin's juvenile arrest rate for violent crime.

Wisconsin was not alone in this increase in violent juvenile crime. It was found in States throughout the country over this 5-year period. Indeed, the national trend reveals an alarming 50 percent increase in the number of violent juvenile arrests from 1987 to 1991 alone.

During the same period, nationally there was an increase of 85 percent in the arrests for homicides committed by juveniles. While juvenile crime, violent juvenile crime still only constitutes 17 percent of all violent crime arrests, these arrest rates and the trends, the increased trends, far exceed those for adults.

And this is the alarming part of what we are finding: the lethality of the conduct, the criminal activity committed by juveniles. It's conduct that cries out for attention, that cries out for some reaction.

Senator Kohl, I commend you for recognizing the dangers which ready access to guns poses for our communities. Your legislation making juvenile possession of firearms a Federal delinquency offense sends a strong message to States and localities.

Its timeliness is signified by the President's endorsement, the unanimous vote in the Senate, and the nearly unanimous vote in the House.

American policy makers now acknowledge that juvenile gun violence has reached epidemic proportions. Like any other epidemic, this violence threatens the safety of our homes, our streets, our schools, and our communities.

Your legislation is the kind of response communities have been looking for from the Federal government to provide some measure

of safety and protection from violent crime, particularly from violent juvenile crime and the senseless killing it entails.

Let me outline some of the other ways in which the Department of Justice hopes to work with you to combat youth crime and violence.

In the 1992 reauthorization of the Juvenile Justice and Delinquency Prevention Act, you authored title V, a new Federal program focused directly and exclusively on delinquency prevention.

Like you, I believe that prevention must be one of the cornerstones of any national juvenile justice policy. Prevention is more effective in human and physical terms than any later attempts to rehabilitate. We need to reach high risk children and parents early on with family supports and services.

In implementing title V, the Department of Justice is dividing the \$13 million in appropriated funds for this fiscal year among the 50 States to be awarded to local counties and cities.

And emphasis is being placed on local planning efforts, recognizing that risk factors for delinquency in Milwaukee may not be the same as in Madison or in Indiana or in Florida.

Training and technical assistance to encourage local collaboration and inform community leaders about model prevention programs and practices is also being provided.

These programs run the gamut from home visiting programs to prevent child abuse, to afterschool programming, mentoring, and vocational training for high risk adolescents.

Next year the Attorney General and the President, Senator, are requesting almost a double of funding for this prevention effort.

In the 1992 Reauthorization Act, you also focused a great deal of attention on early intervention programs designed to reach first-time nonviolent juvenile offenders.

Your new State Challenge Grant Program, Part E, provides a Federal alternative to unfunded State mandates. Under Part E, incentive grants are available for States that agree to undertake measures designed to improve their whole Juvenile Justice System.

Wisconsin is fortunate enough to have already established several model programs, models which we would like to share with other States.

One is the program we visited this morning, Milwaukee Community Service Corps. It was an excellent program involving youth and sending them in a positive direction.

Another is the model in Kenosha highlighted by the National Governors Association in their 1991 report entitled "Kids In Trouble."

Each of these programs places the proper emphasis on building a range of skills in their young participants, including: education and vocational skills, physical discipline and preventive health practices and responsibility in self esteem through meaningful community service.

I also look forward, Senator, to working together with you on secure confinement options for serious and violent juvenile offenders.

Although, as you note, their numbers are relatively small, some juvenile offenders need to be kept in secure settings. It is these juveniles who are creating such fear in our communities.

As you will hear from the necessary distinguished panel of witnesses, we need to take strong measures to keep citizens and cities safe from such dangerous juveniles.

If new funding streams are in enacted as part of the Omnibus Crime Bill, the Department of Justice hopes to help Wisconsin and other States acquire the next facilities and manpower to maintain public safety. The Justice Department also plans to target resources supporting a series of graduated sanctions for juvenile offenders.

Justice will assist in creating State of the art assessment tools at the front end of the system that differentiate between those offenders who does not pose a threat to the community and those who are potentially dangerous.

Funds will be available for appropriate interventions from counseling and community service to bootcamps and secure facilities.

Comprehensive aftercare programs are also a justice priority. These services are needed to promote the safe reintegration of offenders back into the community. We need to give these offenders a fair chance to succeed once they're released from incarceration.

Mr. Chairman, my time is short. I would like to submit for the record a copy of the Office of the Juvenile Justice and Delinquency Prevention's "Comprehensive Strategy for Serious Violent and Chronic Juvenile Offenders."<sup>1</sup> I believe it mirrors many of your serious concerns about juvenile violence in this country.

In closing, I want to commend you for holding today's hearing. You and I both know the Federal government has an important role in supporting the development and operation of an effective juvenile justice system, of drug abatement programs and violence reduction programs and policies.

Such programs will not work, however, until the community in partnership with law enforcement takes responsibility for stopping the alarming increase in violent juvenile crime. I believe we have such a commitment here in Milwaukee and in Wisconsin.

Your next panel of witnesses will play a key role in any successful strategy to combat youth violence. I look forward to working with you and these experts in helping to address the problems of violent juvenile crime in Wisconsin. The future of this city and State along with many others, Senator, depends upon it.

Senator KOHL. Thank you, Mr. Bilchik.

District Attorney McCann.

#### STATEMENT OF E. MICHAEL MCCANN

Mr. McCANN. Thank you, Senator. It's a pleasure to be here with you. I know that you graduated from this high school, and I can imagine the memories of stepping into this school and the flood of memories that must bring back to you.

I don't know if at that time you ever imagined becoming a U.S. Senator. And as I sit here, I hope that there are some young people in this room that are imagining at some distant date in the future—not in 2 years, this year—but in some distant date in the future may be also thinking about becoming a U.S. Senator. I know

<sup>1</sup> Material not available at presstime.

that you particularly selected this place because of your concern about young people in this city.

I have been a district attorney now for, years. We have 22 assistant district attorneys out at children's court fulltime that do nothing but work with delinquency and CHIPS cases, CHIPS being the Children In Need of Protective Services.

If we break that out, roughly 13 of the 22 basically are fulltime on CHIPS cases. These are neglected children. There is a, definitely a tie-in between neglect and abuse and the later involvement of the youngster in juvenile delinquency.

Studies have indicated where you have a group, a cohort of abused and neglected children, there is a substantial probability that up to 53 percent of those youngsters who first appear in court as victims of parental abuse and neglect, some 53 percent of them on the average will reappear as delinquents. Some 38 percent themselves will become involved in violent crimes.

In other words, to an extent, violence is a learned activity introduced to the child even while the child is an infant. It's a style of life.

And the studies nationally reflect that, and locally as well, that we see the youngster whose record is first opened as a victim, we later see them, a hefty percentage of them coming through.

The males tend to come through as delinquent; and the females tend to get, in disproportionate numbers, to become involved as unwed mothers.

The availability of firearms in this city is well known. Your legislation was directed precisely to the problem of young people in possession of firearms. Nationally there's been a very substantial increase in the number of young people slain as a result of the firearms.

In Milwaukee we had 33 youngsters under the age of 18, the size of a class, of a high school class here, that died as a result of homicide. A number of them died as a result of shooting.

The next figure is incredible, Senator. In this city, 320 youngsters were shot, received gunshot wounds in the years tied together of 1992 and 1993. That's hard to believe. That's like a war zone.

Some neighborhoods nightly you can hear the rattle of gun fire, and it distresses me as district attorney in this county to say that. And what the implications are for the young people that live in those neighborhoods, most of whom are law abiding and whose parents love them as much as a parent anywhere else in this county or State loves his or her child.

Poverty plays a role. Inevitably, results of studies show not that it necessarily in and of itself is a causative factor but it creates the environment in which crime germinates and violence flows.

In the City of Milwaukee from 1980 to 1990, the number of youngsters rose to 63—from 38,000 to 63,000 in poverty. In other words, we went backward; 25,000 more youngsters went into poverty in 1990 than were there in 1980. Fully 22 percent of Milwaukeeans are below the poverty level, 38 percent of the children.

In terms of race, poverty envelops 57 percent of the African-American children in this city, 44 percent of the Hispanic children,

40 percent of the American-Indian children, 56 percent of the Asian children, and 15 percent of the white children.

Wisconsin has the second highest poverty rate in the nation for black children under 6, the second highest. It has the highest—we have the highest, I'm sorry, in terms of black children under 6. We have the second highest overall.

I would have thought in saying that that I would have been speaking to a Senator from Alabama or Mississippi or Arkansas. You're talking about a hefty percentage of youngsters under poverty. And I'm talking instead this is happening here in Wisconsin. In other words we are being first or second in the Nation.

And it makes it, as I worked on the interview remarks over the weekend, it occurred to me that one would have thought these issues would be troubling the southern congressmen, here is this issue in Milwaukee. There's a definite tie-in between poverty and crime.

Interestingly, a recent study indicated of the 791 worst offenders in the juvenile system, only 13 percent came from two-parent households.

My father died when my brother was still a juvenile, and I saw personally at hand the difficulty that a single mother has in raising a child.

He turned out all right. Maybe he didn't; he's a lawyer, but—some might feel otherwise. But I saw how my mother struggled in those years. She was not beset with serious economic problems but the difficulty of struggling with a single male child in the home, a definite challenge.

And in the City of Milwaukee in terms of birth to unmarried, 58 percent of the births in this city in 1992 were to unmarried women. 83 percent of the African-American births were to unmarried women. So we will see a very substantial problem.

And in terms of the modeling that a father can give, the discipline, the support, the emotional support. Then that figure that's indicating that a very substantial number of the youngsters deemed the most serious juvenile offenders in this State are from families that was headed by a single parent.

Violence on TV plays a role. I know you have extensively studied this. I know that you're an expert in that area. I won't dwell on it. You and I know it plays a role, particularly in the youngest children.

We know, as well, that the violent rap songs and the violent films. I recently heard Jessie Jackson speak; and he did speak to the rap songs, but he also pointed out such films as "Terminator II" and the tremendous incredible violence of those films.

The video games that involve teaching youngsters how to shoot at other people. Some of the more violent ones how to tear their heads off and so on. These are some of the key problems.

I think overall the most serious problem that ties in with an adult problem is unemployment, particularly among African-Americans in our city.

The devastating impact of that wasn't really felt until the late 1970's into the 1980's when we had a very substantial job loss in this city—some 32,000 in the city, 49,000 in metropolitan areas.

Some of the very heavily integrated work facilities such as the American Motors plant at Capitol and Richards, the Allis Chalmers plant, these were U.A.W. unions; highly integrated, and they provided jobs to thousands of black men and women that were family supporting jobs.

The devastating impact of the closing of those factories was felt by everybody in our community but most notably by black individuals. I think they have not recovered as well.

And the unemployment for 1929 reflects that we were among the best in the Nation in terms of whites with 3.9 percent; and for blacks, it was 22.7 percent.

I think young people sense that, sense a certain degree of hopelessness. I would hope that the young people here are planning to get the best education possible—that they can to meet this problem.

Because there is a connection between unemployment in the neighborhood, unwed children, drug usage, violence, abuse and neglect, and then the child himself emerging as a violent person.

I would suggest the following: That you adopt the prohibition on assault weapons now in the Federal Crime Bill; that you continue your efforts to reign in TV violence. I know it's difficult and it's delicate. It involves the first amendment, and I appreciate the delicate sensitivities involved there. I hope you continue your efforts.

I think we've got to encourage the placement of anger control and peaceful dispute resolution training in all schools. The Federal funding, which is already excellent on drugs, should also emphasize treatment, especially for pregnant women. We should expand Federal support for Head Start and WICC and similar programs.

As you wrestle with the Federal Health Program—and I'm no expert on that at all—I hope that you will keep in mind considerations, particularly for inner city youngsters and the need for Outreach efforts to reach, to have health programs reach them.

And finally, if such Federal welfare reform as may take place—again I don't know which way it is heading—I would hope that programs would come online that are available to two-parent families as well as one-parent families, that there be a national eligibility standard, and that there be adequate levels of support.

I would close by saying I think although we are speaking about violent juveniles, I think funds to increase Federal job training and job development is directly connected.

It's a witch's brew of drugs, firearms, joblessness, and family breakup all tied together from which this tremendous tragic problem of violent delinquency flows. Thank you, sir.

Senator KOHL. Well, thank you very much, Mr. District Attorney.

Perhaps no one in this room understands the Juvenile Justice System quite like Chief Judge Michael Malmstadt. He heads the Milwaukee's children's court. The judge is in the trenches everyday trying to make the system work.

We are pleased to have you with us this morning, Judge Malmstadt; and we'd like to hear from you.

#### STATEMENT OF JUDGE MICHAEL MALMSTADT

Judge MALMSTADT. Thank you very much, Senator, for the invitation and for your efforts in attempting to bring to a society that

is overwhelmed by crime and so fearful of juvenile crime that at times seem to be running in all directions, attempting to bring to that society some direction; and I thank you for that.

I was late this morning. I was late this morning because when I got to my court there was a note taped on my bench that said there are 142 kids in detention. That means that we are 54 over capacity this morning.

That is, to a certain extent, because we had a 3-day weekend and didn't have court on yesterday. But it is a sign of our times. It is a sign of what's going on in Milwaukee and every other children's court in this country—an overwhelming population of kids coming in with very few answers.

In listening to Mr. McCann's remarks, it's hard to add to that in attempting to define the problem. I think it, the problem, is very well defined. I think we all know why we are having this problem.

We have poverty. We have children being raised in families that are not capable of providing them with a kind of nurturance and support necessary to survive in this society.

And because of those factors, we have an increasing number of children coming to the courts with being totally ill-equipped to survive in our society.

They are hopeless. They are kids who are, in the psychological evaluations that I read on a daily basis, are constantly being defined as suffering from dysthymia. I'm not sure which way it's pronounced; it depends upon the expert.

Chronic depression seems to be the disease of our children. When I grew up, it was polio. Today it's gunshot wounds and depression, not having any hope in our society.

I would urge everyone, if they did not, to read a series of editorials that was published in The Milwaukee Journal in the last month. An editorial writer from The Journal came and spent about a week at the Children's Court Center, watched the proceedings there, talked to the social workers, talked to the kids, talked to the lawyers, talked to the judges, and wrote what I thought was an outstanding series of editorials on the Juvenile Justice System and what needs to be done. I'm going to read just one quote from this, if I may. It is a description of what's going on everywhere—not just in Milwaukee.

Society's skewed perception is reflected in the funding of youth programs. In Milwaukee County, for example, 90 percent of youth program funds are used to confine serious juvenile offenders.

That leaves little to deal with tens of thousands of nonviolent delinquents, many of whom will go on to commit more serious crime. One is left with an image of people working furiously to mop up water from an overflowing sink without moving to turn off the tap.

And I think that vividly describes what is going on in this country. We are justifiably terrified by the youth crime and youth violence and violence in general in this country to the point that we have fallen into the trap of believing that the only prevention is to lock kids up, lock adults up.

And we fail to realize that before we can lock up someone for three strikes or two strikes or one strike, that strike means a victimization of someone.

Prevention means stopping those strikes from happening, stopping the offender from committing offenses. Prevention is not locking people up. That's incapacitation. That's something different.

And until we are willing to spend the kind of money that we seem to be willing to spend to incapacitate large numbers of people in this country; until we are willing to spend the same kind of resources in an effort to intervene early in the lives of the children that are being victimized in their homes by abusive parents, by neglecting parents as a result of drugs, as a result of the chaos in those homes; unless we are willing to, once children come out of institutions, to continue to provide meaningful intervention in their lives so that they don't fall back into the same pattern of behavior that they left—these kids, when they leave our detention facilities, when they leave our juvenile correction facilities, go back home.

They go back to the same environment that brought them to the detention center, the same environment that brought them to juvenile correction facilities.

And little is done across this country in an effort to modify those environments so that when the kid comes out of the institution he is coming to some different environment.

He's going back home. He's going back to the same streets. He's going back to the same neighborhoods. And, unfortunately, he's going back to the same crime-ridden behaviors that brought him to the institutions in the first place.

The only solution that I can offer is that we attempt to realize that prevention is not taking a 15-year-old and sending him to Wales. Prevention is taking a 15-month-old and providing that child with an adequate family to live in. Thank you.

Senator KOHL. We thank you, Judge Malmstadt.

We're going to hear from Lt. Wells and Mr. Johnson. And when they are finished making their statements, I hope that we can have a discussion with the audience here today and these very knowledgeable people—comments, questions, answers, responses for a while.

So thinking about what it is you'd like to say and bring it up with these fine gentlemen we have with us this morning.

Lt. Wells, I'd like to hear from you.

#### STATEMENT OF LT. LENARD WELLS

Mr. WELLS. Thank you, Senator Kohl, and good morning. I'm a 21-year veteran on the Milwaukee Police Department. And currently, as a lieutenant of police, I probably have worked every assignment that could be created in law enforcement.

So in my 21 years, I have observed how law enforcement agencies throughout the Nation declare a war on crime, a war on drugs, a war on poverty, and lose all those wars. Millions of dollars have been spent on these senseless wars with little or no success.

I and other League of Martin members are afraid our country is about to embark upon another war, a war against our children. An even greater fear is that we will use the same philosophy that caused us to lose the other wars.

We will build more prisons and have more officers on the street because it sounds politically good and acceptable.

After witnessing firsthand the rise of violent crime in our city at the hands of juveniles and too often juveniles as victims, I could easily agree that incarceration is needed as part of the solution.

However, incarceration is not preventive nor is it a deterrence to juvenile crime. It is time that we stopped looking at the incarceration of the poor, chemically dependent, and juveniles as a solution to our societal problems.

Incarceration without adequate education leads to more incarceration. Incarceration without hope of a return to a job leads to a return to crime and prison.

We must restore order to the neighborhoods and make them safe for everyone. And stiffer penalties for juvenile offenders alone will not restore harmony nor safety to our neighborhoods.

The problems facing Milwaukee in its efforts to curtail the rise of juveniles involved in violent crime lies in the fact that we offered few alternatives to our children other than a life of crime.

The League of Martin believes that it is time for us to face the problem with a cooperative effort that attacks the cause of juvenile crime. We as adults must get serious about the root causes of juvenile crime.

We arrived on the streets of Milwaukee on the afternoon shift as a police officer. You can observe juveniles hanging out on street corners. A few blocks away, a school stands locked with its lights out; and you ask Why? Why are school buildings not being offered as safe havens for our children?

The response is cost. We are willing to spend millions of dollars to build new prisons but no dollars are spent to open a needed safe haven in a school facility.

Open the schools and offer programs for the child and the parent. The parent may be hesitant to allow their child to attend a night program at school because of the fear of their safety in getting home. Programs in our schools that offer activities to both the parent and the child decrease this fear.

One or two open school buildings would not solve our problems. Our children are so starved for things to do that one or two facilities cannot sustain the volume resulting in overcrowding and more problems.

We need enough facilities available so that programs can be structured and therefore productive. Milwaukee could use at least three community centers that offered one-stop service to their clients, our children, similar to the model used by the Silver Spring Neighborhood Center.

A one-stop service, coalitions, and partnerships have to be encouraged by the government to, by natural support, to give to the juveniles the holistic attention that their multiphasic problems deserve.

One of the first partnerships that should be supported is one between law enforcement and teachers. We both face the same juveniles in different situations. Our goals should be the same, but oftentimes our method of achieving the common goal is diverse.

The League of Martin would like to see more police officers in the schools as team teachers and guidance counselors as opposed to our current roles as guest presenters or to take the child away.

Allow the police officers on the beat and in our schools to assist our teachers in providing the tools our children need to live in this society. At the same time, the officers' presence will act as a deterrence to crime and violence as it does when officers are living in public housing.

Expand the school safety program to include paid civilian patrols trained to walk the neighborhoods as deterrence to crime and violence around our schools. And the groups traveling to and from schools are just as dangerous.

Make it a Federal offense for nonlaw enforcement personnel to possess a firearm outside of their residence within 500 feet of our schools where our children are at play.

A first-time offender program structured to intervene at an early age to prevent subsequent offenders must be implemented. More first offenders for minor offenses should be referred to qualified community agencies or organizations.

Currently in Milwaukee, it takes 15 days to get a first offender before the courts; and oftentimes before they make their appearance, they commit other offenses.

The child that is detained at the juvenile facility loses contact with the educational system, a system that has already seen too little of their presence. A structured, full-length enrichment program should be mandated for all detained children.

During the summer months, more schools should be made available for enrichment and educational programs. Children desire learning experiences, structured activities, and recreational programs to fill the long summer months.

If our past experience in combating crime is any indication of our future success at curtailing the rise in juvenile crime, then getting tough, more police, and mandatory sentencing will meet with minimum or no success. These measures have also failed to diminish the fear of crime. In essence, previous measures have failed miserably to combat actual crime and the fear of crime.

The fear of becoming a victim has forced more responsible citizens indoors, out of the malls and other areas of the neighborhood. The fear of crime must become a policy issue. Enact legislature that not only gets tough on criminals but has a direct impact on the fear of crime.

Make drive-by shootings not only a Federal offense but a mandatory jail sentence. Incorporate conflict resolution into our school curriculum. Police, school administrators, and school security personnel disregarded a 1978 Department of Health, Education and Welfare study that informed us that the fear of crime has a ripple effect. We can treat that fear by treating the victims of crime.

Also in the study, it was clearly stated that multiple victimization was due to the fear of crime and a lack of education for victims. This was true for both students and teachers. Some teachers are singled out and picked on similar to students.

It was suggested that strategies by administrators and school security personnel be designed and prefocus on those teachers who have experienced some form of victimization. Treating the victim and a potential victim decreases crime. But little or no effort or resources is given to treating the victim.

Most efforts in crime prevention are under the jurisdiction of law enforcement. This is manpower exhaustive and expensive. These resources should be shifted to responsible and trained citizen groups who devote the much needed time to prevention measures.

Currently the City of Milwaukee has an educational program that trains landlords how to protect their property from becoming a haven for prostitutes, gangs, dope dealers, and other criminal activities. This program has been reported as successful, and it's run by nonpolice personnel.

Most, if not all community oriented policing programs are failing in this country for one main reason—the police have not accepted their roles as partners with the community.

Police still insist on controlling every community under the policing program to obtain Federal and State dollars that should be going to dedicated and responsible community organizations.

I hope you and other members of this congregation do not think that members of the League of Martin are advocating a soft approach on crime—because we are not.

What we recognize that crime is not just an issue responding to the aftermath of crime's effects to incarceration. We recognize that incarceration is one important component of minimizing criminal activity.

Our current policies and procedures regarding incarceration often obtain minimum impact on the rising tide of violent crime among and against our youth.

Incarceration has failed because of inadequate rehabilitation of offenders, lack of education, and an overload in the Criminal Justice System.

Why are we incarcerating the poor, unemployed and uneducated and returning them back into the community untrained, unable to find employment, and lacking minimum education standards?

We return them to an understaffed parole system and expect miracles. We actually return them to the police. Incarceration is needed but so is the responsibility for the reason behind the incarceration.

Our detention facilities are facing the same or similar inadequacies as the courts, halfway houses, and other predetention services.

These inadequacies are: poor medical care, inadequate or ineffective substance abuse treatment, and little or no education for those detained. We must intervene to provide services that does not enable individuals to continue their deviant behavior.

What amazes me here today, Senator Kohl, is that none of the panelists so far that have spoken has collaborated on what is, what we see is needed in the Criminal Justice System and in our community to solve our problems.

Separately, based upon our own inexperience with the Criminal Justice System in our youth, we all came up with similar, if not the same, purported solutions to the problem.

We need predetention intervention. We need more youth programs. We need a better educational system. We need more interaction with our youth prior to their detention in a facility.

So someone out there, Senator Kohl, should be listening to those who are very active in law enforcement and take heed that incarceration is not education. Thank you.

Senator KOHL. Thank you, Lt. Wells.  
Mr. Johnson, I'd like to hear from you.

### STATEMENT OF RON JOHNSON

Mr. JOHNSON. Thank you. Good morning, Senator Kohl, and people here in the audience. I too am close to Washington High School. My son recently graduated from this institution and is now a freshman at the University of Wisconsin in Milwaukee.

One of the advantages and disadvantages to going last, I'll be the last one that you guys hear and, hopefully, I'll be able to make a lasting impact.

The disadvantage is that these guys have said it all and they have put it in eloquent and straight terms. And I hope that what I'm about to share with you will complement some of the things that they've already talked about.

We all know that something like 20 percent of the violent crime in this country was committed by people under 18 years of age last year. Why are our kids so violent? I speak all over, and that is a constant question that parents and adults and administrators always ask: Why are our kids so violent?

I think our kids are violent because adults are violent. I think that we teach violence. Everything that children do, they emulate adults. Ours is a culture that, according to the author of "Deadly Consequences," Debra Prothrow Stith, celebrates violence.

If you watch American television for more than 2 weeks, you'll witness over 1,500 murders, horrible acts of violence, shooting and killings usually done by the stars, the heroes of the movie.

In "The Terminator" and "Josey Wells," those guys, they kill and they kill and they kill and they show very little remorse and they always win in the end.

It's interesting, one of the things I was telling Judge Malmstadt, a couple years ago I was visiting a kid in DT, in the Detention Center, and I asked him, well, what do you do during the, you know, what's the typical day in DT?

We get up in the morning, take a shower and this, that and the other. And eventually he said, and we watch a movie. And we watched a movie.

And I said, just out of curiosity, what movie did they show you in DT? That's what it was, "The Terminator."

So, I don't know. The heroes of violence are paraded through the consciousness of our children from early childhood to adulthood in cartoons, in sports and even in fairy tales. And we wonder why our children are so violent.

Kids see how adults settle disputes. They may not psychologically understand how adults settle, for example, religious disputes like in Northern Ireland or in Waco, TX. But they internalize this impact.

They may not truly understand what's also going on in Bosnia or Rwanda, but they are conscious and therefore impacted by the violence that is all around us.

Remember, most violence in this country is domestic. If 20 percent of the violent crimes are committed by teens, that means that 80 percent is committed by adults.

Many young people are exposed to violence for the first time by witnessing struggles between their parents, brothers and sisters, cousins and aunts. Young people mirror the adult world.

I think there are basic reasons why children are more violent today than in the past. The availability of guns, for sure, but more importantly, to me, is the lack of cultural taboos that safeguard to sanctity of life.

It's not just a matter of having guns, but these kids are willing to use them. There seems to be a loss of the sanctity and the specialness of life and the fact that violence, like other data, travels down the information highway like a speeding bullet.

What I mean by that is that videos and rap music and information has spread the urban sort of concentrated, pressurized youth subculture around the Nation.

I just did a week on the Native American-Indian reservation in North Dakota, The Four Winds (Tate Topa) Sioux Reservation. And I asked the kids there who was their favorite rap star?

And they said "Snoop Dog," who right now is under murder indictment for one thing and represents the epitome of gangster rap. So information travels.

The murder rate of teens, over 50,000 between 1979 and 1991, and the suicide rate of kids, which is the number two cause of death for teens, in my opinion indicates that our children lack hope.

And like Judge Malmstadt said, they seem to be depressed. They are angry. They seem to lack hope, and they lack vision. They don't believe they can rise above their current circumstances, many of them. They seek permanent solutions to temporary problems.

What can be done about it? We have to somehow begin to deal with basic values, I think. And I know that dangerous ground I tread when we talk about teaching values. I'm not necessarily talking religion, but I am talking social mores that guide and direct behavior. I'm talking about culture.

At the risk of the appearance of bias, I sincerely believe that programs such as the one that I coordinate, the Social Development Commission, Milwaukee Youth Opportunities Program, which is funded by the Department of Health and Human Services, Donna Shalala's shop, can be effective in reducing juvenile crime and violence.

The program represents a collaborative approach to a war with many fronts. The program attempts to network and coordinate prevention programming among the wide consortium of agencies, youth servicing institutions throughout the city.

A collaborative approach that is citywide, I think, is the model that the Nation is moving towards. And finally I think that here in Milwaukee we have adopted that approach, and I think it is very key and fundamental.

Head Start works. It is an early intervention. It presents unbelievable support to children and parents of low income families.

Head Start helps to provide those kinds of basic values mentioned above. And because of the epidemic of teen pregnancy, many children are being raised by children. Thank God for grandmothers.

And Head Start is often one of the few resources for values and structure available to many of these young mothers.

Conversely speaking, Job Corps also works for kids for who, on the other end of the spectrum, who perhaps have fallen through some of the cracks. Job Corps works.

We need money. We need money for summer jobs. We need money for apprenticeship programs and for mentoring and after-school programs. We need money for gang Out Reach programs. It's pitiful that Milwaukee, a city of this size, has one gang Out Reach Program; and we have gangs in many, many, many neighborhoods.

There is a great new program in town called the Neighborhood Youth Sports Program. It's co-sponsored by Marquette University and the NCAA. They take kids all summer and involve them from 8 o'clock in the morning to 2 o'clock in the afternoon with myriad of opportunities and culture programs.

Because their budget is only around \$40,000, they're only able to work with 250 kids. They give kids physicals and feed them. They provide transportation. Programs like that, in my opinion, should be funded so they could work with perhaps 2,050 kids.

It costs \$45,000 a year to send one kid to Ethan Allen, 45 grand to send one kid to jail. For the cost of sending two kids to jail could double a program like that.

One of this city's veteran crime prevention agencies, Project Respect, coordinates Wisconsin's largest and some would say the most competitive summer basketball league. It is called The Warning, We Must Respect Each Other Summer Basketball League. It is sort of a right of passage for children, especially black children growing up in the city.

As a matter of fact, I've been trying to make a connection between the league and the Milwaukee Bucks. Maybe we can work on that.

But the league, through the summer, serves a thousand kids every summer; and we play ball from 4 p.m. to 9 p.m., peak crime time. I think it represents crime prevention at its most grassroot level.

In Milwaukee, I think we need to revisit the requirement that of a 2.0 grade point average for public school children to participate in extracurricular activities.

As a veteran teacher of 10 years, I am fully aware of the need to maintain high academic expectations of our students; however, the average MPS student has a 1.6. An embarrassing statistic for me as a black man is that 80 percent, 80 percent of the black boys in the system have less than a 2.0. So who are we kidding?

This is not in any way to be intended to be a criticism of the Milwaukee Public School System but a statement of alarm at how we have dropped, through perhaps well-intentioned policy, cut out the very kids who need to be cut in.

I think we need to work to reduce the number of youth incarcerated, which has been so eloquently stated today. Jail is a strange place to find rehabilitation. One in four black men, 25 percent of the black men in this country are either in jail or on paper.

Talk about guns? Half of the murders in this city last year were committed by .25's—not semiautomatics—but .25's, those little pocket guns. And most of those guns are made by one family, the Jennings Family, in Chino, CA.

And I also believe that schools should be open in the evening, I believe to take some of the pressure off schools during the day. Thank you.

Senator KOHL. Thank you.

I had, I was going to ask one simple question and I had one thought; and then I hope we can open it up to the audience for discussion.

From what I've heard this morning from all of you—and there's a consistency in what I've heard—it's not as though we lack most of the answers or that we are so perplexed that we don't know what to do.

I think most of you sitting here this morning have some very definite ideas about what needs to be done to turn this problem downwards instead of having it continue rocketing upward with our young people.

And I think that the consistency that I see in all of your statements is that if we had more resources, we would know how to apply them effectively—not to eliminate the problems of our young people but at least to reduce these problems.

You know, it's a fact that in the last generation while the percentage of our senior citizens, deservedly, who live in poverty has gone down from 20 percent to 10 percent, and deservedly, the percentage of our young people live in poverty in the last generation has gone up from 10 percent to 20 percent.

I think in a democracy, this democracy, there is a correlation between that fact and the fact that young people don't vote and they don't contribute to politicians.

And it is, I think, correlative that the young people have gotten themselves in trouble in our society. And I think it's got to do with the fact that when those of us who are in positions of control sit down around a table to decide how we are going to divvy up the resources of our Nation, over the past generation, unfortunately, the young people have not gotten their fair share.

Now I say this not by way so much of a statement, because I'm not making a statement; I'm asking a question. I'm interested in your response to this.

And that is the only question that I wish to answer—to ask, and then I'd like to throw it open to the panel for statements and comments. Somebody would like to offer a thought on that?

Mr. District Attorney.

Mr. McCANN. Senator, I certainly agree with you in terms of the, of course it's to great advantage to see that the advances to a person who is on social security. But the young have definitely suffered.

I think the open schools idea is an idea that is shared by many that addressed the juvenile justice problems. You can pass through the city—I'm sure you've done it—on an afternoon in the summer and see how many young people don't seem to have anything to do and the problems that can come from that.

There do not seem to be an adequate number of summer jobs available. And there don't, the schools are closed. There's been substantial cutbacks, to my recollection, in terms of these school recreational programs, especially during the summer.

And that's part—how that is squeezed through a Federal budget, I do not know. I know that there's stresses in the budget. I know that you are confronted constantly with decisions whether you cut back on domestic programs.

I do not envy you those decisions. I'm delighted to see you're taking note, though, that it seems that young people have not been getting their fair share. I think, I hope with that you can persuade the entire Senate of that, because the resources are unquestionably needed.

Senator KOHL. This is a problem that reaches to the Federal, State and local levels. Whatever the deficiencies are, they are not deficiencies of just one part of our government. I think we are in this together, and that's why we are here this morning. Would anybody else care to make a comment on that?

Yes, sir, Judge Malmstadt.

Judge MALMSTADT. If I might just expand it. When I was in college, my summer jobs were back here working for the West Allis Recreation Department. And I would guess West Allis, every one of its schools, grade schools, had a playground that was open from 9 o'clock in the morning until 9 o'clock at night and was staffed by young adults and late teens working there with kids.

And we had no great expertise in how to deal with little children and teach them how to, the little kids how to make bracelets out of beads; and we turned lanyard into stuff. But we kept them busy. We taught them what we could teach them, and we interacted with them.

I think it taught us the value of youth. I think it taught a lot of us that we liked the kids. They are neat people. And it gave the kids something to do.

And as we have seen the budget cutbacks and in property tax relief comes off education, recreation is usually attached to education. Recreation is viewed as the "fluff" of education. So that's one of the first things to go. Whenever budgets are in trouble, they talk about cutting the football team and all those things.

And in some ways, people view that as fluff, I guess. But last week I got a chance to, at an education, honoring education program at UWM, I was invited to give an award to the teacher who I felt impacted my life the most.

And it was a high school coach. It was my high school wrestling coach who took a kid who—honest to God—was going the wrong way and going fast the wrong way and grabbed him by the scruff of the neck and said, "No, you're going this way." And without those kinds of programs, I totally agree with Ron.

I have a couple of kids who are, my own, who are academically very talented children; they don't need the kind of influences that can be given by some of the extracurriculars. They are involved in all of them, but they do fine without them.

It's the kids who don't have a sense of accomplishment in the music room or in the Debate Club or these other things that are academically orientated who need something to be able to say, I can succeed, too. And we have to give them that. And we are taking it away from them at a terrifying pace.

Senator KOHL. Lt. Wells.

Mr. WELLS. Senator Kohl, one of the things that the City of Milwaukee Police Department is getting ready to embark upon and I would carry out is enforcement of what we call the curfew violation.

And one of the things that I've learned about this curfew violation is that most of the kids, the youth, our children are standing on the street corners are standing there because they have no place else to go except inside of a hot house or a basement where they are creating more problems than they are by standing on the street.

Once I round them up, I have my troops to round them up, where do I put them? I don't have a classroom that is open for them that can afford a midnight shift. I don't have a recreational center to drive them to. And I don't have the manpower to do it.

But the kids, you check them out, you'll find that most of them are not the ones who normally hit Judge Malmstadt's "classroom"—solemnly referred to it as. They have no place to go.

When you start talking about having a summer dance, if you have a summer dance here at Washington High School, you have to have so many restrictions on it because the kids throughout the city learn that you have a single summer dance at one institution and they flood the place. And that's what creates the problems.

We don't have enough facilities for our children that we allow them to participate.

Senator KOHL. All right. I would like to open it up to questions. I'd like to please request that you keep your questions to no more than 1 minute and not make a statement—ask questions—so we can have as much opportunity to participate in this dialog as possible.

Go ahead, sir, what is your name?

Mr. SERIAC. My name is Ben Seriac [phonetic]. I have to make a statement because I went here in the 1950's, too. Washington is the best. And I'm trying to turn it into a neighborhood school by telling all the kids in my neighborhood over here on 40th Street where I grew up back in the 1950's and where I still live now, that and Washington is the best, and especially that girls' basketball team.

I just want, I want to compliment Lt. Lenard Wells. I agree with absolutely 100 percent of everything he said. And I want to key in on alternatives.

And I want to point out some of the things you have to remember: Kids grow up regardless of what we do. They are going to learn regardless of whether we're teaching them or not. They're going to learn whatever is out there.

So it's up to us to create the alternatives that they're going to learn something that we can use that's going to help our society. What alternatives?

And I keep hearing this. I hear people say, parents, parents got to do this. You know something? There's nothing for parents to fall back on.

I know a kid now, he's going to kill someone. I know his name. I know his address. I've talked to his parents. I know his family. It's just a matter of time before he's going to go out there and kill someone. And his mother has no alternatives. She has nothing.

He's already involved in a community-oriented policing project, and there's nothing being done in that.

So, what alternatives are there? Not just for kids but for parents at the community level that when they have a problem, when they have a problem that someone, fortunately enough, has brought back to them—which is a key component—what can they do?

And they can't pick up the phone because they don't have a phone in many cases. But if they are talking to a neighbor who has a phone, they can go to the neighbor and pick up the phone and call someone immediately to come and do something with their child.

What alternatives—I know none exist—but what alternatives are in the planning stages to create something like that at the neighborhood level?

We don't need a program down in Bayview or in Fox Point or in all these other places where some of these kids are going to school. We need a program in the block, in the neighborhood within walking distance where they are living.

Senator KOHL. Mr. Johnson.

Mr. JOHNSON. Ben, there are programs out there like that. As a matter of fact, on a daily basis we talk kids out of violent acts and we call gang truces. And the program that I coordinate, for example, networks about 15 agencies throughout the city.

When we leave here, I'll be glad to work with you on that individual case. We have got Outreach workers who have, who are trained and experienced in working with kids. And we do have some success. So there are programs, there are alternative that exist.

Senator KOHL. All right. Thank you, sir.

Mr. COGGS. Hello. I'm Representative Spencer Coggs. And I want to welcome you gentlemen to the 17th Assembly District. And it's very appropriate that you would have this today at Washington High School. Because you want to see where things are being done positive. You see it here amongst these students at Washington High School.

By the same token, when you see the positive students, you also have to know that there are some students here who are on the edge. And the positive students can be victimized oftentimes by those same students.

I'm speaking here today as the chairman of Speaker Walt Kunicki's task force on gang violence, of which Ron Johnson was a member.

And one thing I want to reemphasize is the number of things that the panel did, but especially what Ron Johnson and Lenard Wells said, that prevention is the key.

We can't spend enough money in incarceration for these kids. Everybody knows this is economically feasible: One dollar of prevention will save \$10 of incarceration. That's extremely important, especially in this community.

As you look at the north side of Milwaukee and you look at the black population in the State of Wisconsin, the black population in the State of Wisconsin is less than 4 percent of the entire State, and yet African-American males constitute 40 percent of those in-

carcerated in this State. And the juveniles' rate is about that same size.

So you asked for a question. Let me put it this way. If we say that prevention is the key and we want to say that kids follow what society values—and Mr. Johnson has already pointed out that we have devalued our children, then in regards to future legislation—and I want to say to Mr. Wells that we have incorporated your idea of trying to intervene with children in that 15-day period.

What I'd like to know from you is, give us some specifics of what we should be looking for in that intervention.

Senator KOHL. Mr. Wells.

Mr. WELLS. Representative Coggs, what you've got to look for in that 15-day window period is what institutions or organizations within that neighborhood, as Ben stated, that you can put that child back to that helps prevent that child from committing other acts until we can get it, get the child in the system, all right?

I'm not necessarily for getting it into the system. If you set up a referral with say CYD, where if CYD's representative goes out to children's court then says, this child is in my program; this child is progressing this way—that negates the child even having to appear in Judge Malmstadt's court or one of the other courts or before a commissioner or anyone else.

And the child has gotten immediate, immediate intervention. What we're finding is in that window period that child may commit two or three other offenses before they even get out to Children's Court Center. And that's how we fail that child.

Senator KOHL. Judge Malmstadt.

Judge MALMSTADT. Lt. Wells said it was a 15-day period. What happens if they arrest a kid and release him, don't detain him—and this isn't just Milwaukee; this is everywhere—they will come to the detention center in 15 days to talk to an intake worker from the Department of Human Services. That intake worker then refers the case to the district attorney's office.

The district attorney's office files a petition after investigating whether they have probable cause to charge the child with an offense. Then the child is given notice. The bottom line is the kid doesn't walk into a courtroom for about 2 months. That's the reality.

If you think about it for 1 minute. Think about you, as a parent. Your kid does something wrong last—today. And you start to talk to him about it in August. No parent would do that. I mean, it's senseless parenting. And for early offenders, it is a senseless program to use the courts.

The due process model I don't believe works, and it shouldn't be used for these early minor offenders. We should get those kids into programming immediately.

Almost all the kids acknowledge that they did what they did. They are like every other kid. First they say, I didn't do it. And you look at them funny and they say, Oh yeah, OK, I did. They are just like all other kids.

And get those kids quickly into programming and we would be saving an awful lot of energy of probation officers, district attorneys, judges that could be devoted to the serious offender that you want us dealing with.

Senator KOHL. May I ask the kids here today, the young people, to make a comment? What should we be doing about crime and violence in our society today?

Mr. McCORMICK. Yes, sir.

Senator KOHL. Yes; I'd like to hear from several of our young people, and then we'll continue with the regular order. Yes, what's your name?

Ms. McCORMICK. My name is Tracy McCormick.

Senator KOHL. Yes.

Ms. McCORMICK. Like he said, I'm part of the, one of the programs that Marquette sponsors with the 250 students. Marquette only goes for so long. What is there for me to do afterschool?

I know, I was at a forum with Tommy Barrett and we talked about what we could do. And there was a midnight basketball league being proposed. It's not gone through. And here it is summer. There's nothing for us to do or us to go.

And I'm not going to say that I'm a perfect student. But when you want to, when kids want to go out, we want to go out and we want to kicking, you know? We want to have somewhere to go we can have fun.

In my experience there's nowhere for me to go because everywhere that I've been, I've been shot at. I'm not in a gang. You know, you're talking about preventing crime and all this and that and the other thing. But what about kids who aren't into crime? What about kids who just want to go somewhere? What can you get for us?

Senator KOHL. Any one of you want to make another comment? We'd like to hear from you. Yes, sir, what's your name? Go right ahead, sir. Tell us your name.

Mr. PERRY. My name is Jason Perry. I was just wondering why don't we have more open dances during the summertime, you know, more activities that is more publicized?

Because when there are activities, I mean, we really don't get anything in the mail saying, "There's something going on here and we would like to invite you."

Or, you know, the prices are too high to go to summer school and college, you know, prep courses for high school and college.

I was just wondering why we don't have more activities that are free or lesser charge.

Senator KOHL. That's a very good comment. Yes, sir, next. What is your name, sir?

Mr. TOLIVER. My name is Gregory Toliver. I want to know what are we in the process of doing to get the guns off the streets? I truly believe that a lot of our, as we notice, our violent offenses have happened by weapons and that weapon has been a handgun. And I truly believe that we need to cut it out. We need to ban handguns.

And I want to know what process are we in at this point in time to get the handguns off the streets and out of the hands of young people who want to become doctors and lawyers and teachers and preachers. What are we doing now?

Senator KOHL. Judge Malmstadt?

Judge MALMSTADT. I'm going to try telling another story about me. I was a freshman in high school. I, we didn't—there were not

guns around. The weapon that scared the daylights out of us, because we could get it, was switchblade knives. You push a button, a 4-inch blade pops out. Pretty scary.

I bought one. I was carrying one for about 2 weeks. Why was I carrying it? I really can't tell you. Because nobody was—I was the smallest kid in my school, and I think I was afraid of some kids; but nobody grabbed me and pushed me around, none of that. It just made me feel big. I think that was why I was carrying it.

And I was walking home from school with a friend. I've not seen this kid since my freshman year in school.

But I'm walking home and I had to show it to him because, otherwise, what's the sense of having it, right? So, I show him this knife.

He took it away from me and threw it down the sewer. And I was mad at him for about a minute. And I've realized that that's probably the best friend I've ever had. Because he stopped me from doing something that I might have, very stupid.

I really think that—and I'm not trying to put it on kids—but you have to talk to your peers just like you talk to us.

We can pass laws to ban handguns; and the bottom line is there are so many of them out there, it will take us years to get them back if the only way, we get them back is having Lenard Wells and the Milwaukee Police Department arrest people when they can.

There has to be some motivation across this society that says, Guns are bad; we are giving them up. All of us—not just when we get them taken away.

Senator KOHL. How about that, Mr. Johnson? Any comments?

Mr. JOHNSON. We are working on a great many summer programs for kids like Tracy. As a matter of fact, the Greater Milwaukee Committee recently donated something like \$300,000 for a brand new program that we started last year called Summer Stars.

And with Summer Stars last year we worked with over 6,000 kids on a daily basis with expanded activities and programs and all with community-based organizations that gave a splash party once a week at Hoyt Park and a dance every Saturday night at MECCA this summer.

Senator KOHL. Yes, Lt. Wells, and then Mr. Bilchik, we'd like your comments.

Mr. WELLS. Regarding the issue of the guns. Over the 20 years plus I've been on the Milwaukee Police Department, I have seen people grow to like, like a gun or love a gun and then feel like the gun is the best thing in the world to sport—not to protect themselves—but to sport.

And it wasn't like to the switchblade knife degree that our generation grew up with. It's like a worshiping. I just had a kid to come through my jail three times; and on the third time, I asked him why does he carry a gun.

And each time he had a different gun. And he said, It's like the American Express card. I never leave home without it. That's a sport; that is not for protection or anything.

And what we have failed to do is to address that sporting image of the gun. We are getting ready to address the issue regarding rap music, but we never address the issue of why our children want to carry it. It's not always for protection.

Senator KOHL. Yes, Mr. Bilchik.

Mr. BILCHIK. I'd like to make a broader comment about the students' observations this morning. And I think it's something that we have seen, Senator, nationally that's begun in many jurisdictions.

And that is the need to plan comprehensively within communities for different entities to be joining together, talking about the needs of the community, and making sure that when they do that that youth are at the table. That youth identify what their needs are to make sure the other agencies and entities in the community can try to meet them.

Across jurisdictional lines—local, State, private, law enforcement, judges, prosecutors, social service workers, housing officials, school officials—everyone needs to be at the table listening to each other to decide what the community's needs are and then figure out plans to make it work.

Not go into a summer where students are wondering about, "How am I going to fill my time?" But if that's what the students are saying they need to do, then somehow figure out a way to do it.

Senator KOHL. All right. Thank you very much. That was a very good question.

Yes, sir, what's your name?

Mr. PETRUS. My name is Joseph Petrus [phonetic]. And I want to talk a little bit about the prison system. I went through prison, and I just got out a month ago. And I was, I started communicating with my boss, a company called MCSC Construction, all right, MCSC Corp.

And I went to my social worker and I asked him, you know, what do you do—I do when I leave here? And he says, "Run your program." And I didn't understand what he meant, "Run your program." I had no opportunity. I had nothing going for me. I had no high school diploma. I had nothing. I learned nothing while I was in prison.

I heard nothing but people talking about, kids 17 years old got 15, 20 years. I asked him what is he going to do when he gets out? He says, "I'm going to sell some more drugs."

And I looked around and looked at myself every day in the mirror. And I was afraid to tell myself I loved myself because of the things I caused myself.

But then the guy that I worked for now gave me another opportunity. And the name of the company is MCSC. And that was all I had. I went out and looked for it on my own.

When I go and think about the penal system, you know, they have great programs there in Winnebago, Oshkosh; they have great drug programs. But they have nothing to give them people when they get out, opportunity, something to go for.

They didn't leave me nowhere when I got out. They left me with a bus ticket and said, Here, go home now. You got done doing your time.

And I was happy to have a friend like Tony Perez to say, "Here, we will give you a second chance to come work for us." You know, where is the programs? What is my program? That's my question.

Senator KOHL. Thank you. Any comments? That's a good statement. We hear you loud and clear.

Mr. FASTHORSE. Good morning, Senator. Good morning everybody here. My name is Ruben Fasthorse. I work for the Indian Council of the Elderly. I'm very glad to be here.

What I have to say I guess is not really a question but a statement. In that being young myself, being 23 and growing up, I'm not very far from high school graduating. And seeing those children here—not really children—young men and women growing up, it's a little bit difficult to sit here and listen this early in the morning as well. You're tired and cranky, and I see a few people yawning as well. That's not it.

But what I'm trying to say is that our culture now is so different from when it began. All these vast cultures and they have very different things. Thank you very much for going to the reservation. I'm Lakota myself.

But in our own culture, I think we all have a culture. And if we look back and see things, we even had our wars, too. We had different ways of reconciling them. If we can bring those forward to this culture now, I think it would help a lot.

But when we look at this culture now, we are all different; we come from different areas. And the summer youth programs I was thinking of, we do definitely need more of them.

Our society today now tells us when people want to go out and do things, the first thing they do is they grab a babysitter and they put the children away.

In my culture, it's not like that. Everything is invited, everybody is invited. I'm not saying to go by my culture, but let's look at ourselves. Let's look in ourselves to find things.

It's a difficult time. We look back in our history and I look at my own schooling, and all I ever read in history was wars. In this century, there's been more wars than anything. Mass world wars. And the TV and violence and everything that comes, it shows us how we are, the way we dress, how we speak.

The slang word now is it's "real bad" meaning "good." How is that now? Let's look at ourselves and really see who we are and where we are going. Thank you.

Senator KOHL. Thank you for your statement. We will take two more questions. Yes.

Ms. DEAN. I'm Milwaukee County Supervisor Dorothy Dean, and I'm here to ask the chairperson of the Milwaukee County Children's Court Center Task Force. I've heard a lot of questions; and I actually think I have an answer, partially, for some of what I heard today. And I do have a question.

I want to talk about a couple of the programs that Milwaukee County has started without State or Federal guidance, without State or Federal money.

One of the programs that I think is most promising is modeled after one in Philadelphia where we are going to intervene with kids that are age 12 to 16 who get municipal citations—not kids who are arrested; we want to get them before that.

When they get a municipal citation for underage drinking or fighting in school, we are going to get those kids into a program with the, with consultation with the city attorney, the district at-

torney, and the police and with the agreement of everybody involved.

That program involves trained community volunteers from the neighborhood where the kid is from and hopefully where the crime was committed so we can keep it as close to home as possible.

But it's intended to move quickly and get that kid and the parent in to this panel of volunteers who are trained to deal with that and work out some sort of a probation type arrangement.

Now it does a couple of things. It allows the community to have some say in what happens, and it allows trained community volunteers to get involved in showing how much they care about the future of the children.

It also is a very swift response. And the pay-off is if the kid fulfills whatever provisions this panel sets out for him, then he ends up with no record and the municipal citation can be dismissed.

Now we are going to start that pilot program in the Second Police District in the City of Milwaukee. It's not the worst; it's not the best. But there is great cooperation with the city police department, with the aldermen, with the District Attorney's Office, the City Attorney's Office. And everybody is cooperating well and MPS, too.

The problem is that I want to see this thing expanded as much as possible, and we are going to need money for that. And I think what I would ask a question—and I don't expect a definite answer on the amount of money that we can get out of the Federal government.

But if there is the sort of prevention program that if we can intervene early enough with these kids, we can keep them from ending up being statistics that Judge Malmstadt talked about or that District Attorney Mike McCann talked about.

We do need some funds. We've been doing it now within our existing budget. We have not used outside funds for it. But we are going to need funds if it's going to be expanded.

That's the kind of thing that involves the parents and the community with the young person and lets the young person know, very clearly, that we care about what happens to them.

Senator KOHL. Well, thank you. That's a very perceptive comment, and it's relevant. We are in the process of working our way to the conclusion of a very big, expensive, but fully paid for Crime Bill, as you know.

That Crime Bill is well over \$20 billion over 6 years. It's fully paid for by a reduction in the Federal work force of 250,000 people over that period of time. But that is going to be equally divided between law enforcement and prevention.

And what we are here today talking about are the various kinds of law enforcement and prevention activities that we need to do a much better job on. And so your comment is well taken, and I've heard what you said as well as everything else what we have heard today. Thank you, Dorothy.

One last comment. Yes, sir, what is your name?

Mr. ADAMS. Charles Adams. I was wondering about the—I'm a student on the edge right now. And I'm trying to figure out, you know, there is like school with the students.

Like what could you, what are you doing for students that don't have, you know, the motivation, you know, the power to get up every morning and say, I'm going to go to school and do this? You know, and this, get up every morning and say, I can do this, you know?

And for like, like having fun on the weekends and stuff like that. There's a lot of students out there today that want to, you know, come to school, have fun and just, you know, live a normal life.

But like me, I don't have the motivational power to say, I'm going to get up. I'm like just—I say I'm going to sleep, like that.

Senator KOHL. All right.

Mr. ADAMS. What can you do for me?

Senator KOHL. Mr. Johnson, do you have a recommendation for our friend?

Mr. JOHNSON. Build a fire under you, Brother. You know, the motivation has got to come from your heart. But we do have to have counselors, you know, and people that can, and mentors that can help you with schools.

What we try to do is try to form a link between the student, the parent, and the school because education is a triad. But the motivation has got to come from you.

Mr. ADAMS. Right. OK, there's a lot of students out there like me.

Mr. JOHNSON. I know.

Mr. ADAMS. Like you said, 80 percent black.

Mr. JOHNSON. Under 2.0.

Mr. ADAMS. Under 2.0. What do you have for us out there today, you know, to motivate us more and just make us strive to be lawyers, doctors, preachers, teachers, like you said?

Mr. JOHNSON. That's a key question that I think all of us are working on. How can we turn that statistic around? And we, you know, we are talking about decentralizing schools. We are talking about longer school days, perhaps. We are talking about a program that is culturally specific.

We, to be honest with you, don't know what the answers are. But I do know that it's like a war, like Mr. Wells said, and we have to fight it on many fronts.

And so we just have to keep plugging away at it. But that's a very dangerous tack. And when you go—a lot of guys in jail will tell you they didn't graduate from high school. So there's a direct correlation between dropping out of high school and eventually winding up in "the joint".

Senator KOHL. All right. We thank you.

I think it's been an outstanding discussion. We have had, really, some good experts here this morning with us. The five panelist represent knowledge about this problem which is probably as deep as we could find anywhere in our State, perhaps anywhere in our country.

And we have had good comments and good questions. I'll just say this. I think folks, it's a law of nature it's always darkest just before the dawn.

And I think that in the years ahead that we will look back and recognize that this is the darkest and the deepest of our troubles with respect to our young people; that there are so many people at

work at this, so many ideas at work, and that we are prepared I think to devote some additional resources in our country to doing something about this problem.

I think that when we look back in the years ahead we will see that this was as deep and dark as the problem got. And that it's going to get better.

Audience PARTICIPANT. Excuse me, could I ask you a question, please?

Senator KOHL. All right, one more comment and we are done.

Audience PARTICIPANT. Thank you. This question is very short. I understand that you are going through a program for the crime prevention, the crime and the prevention in our State.

One of the things that I ask this question on is that while we are working to help our youth, let's not forget the parents. There is a form and a fashion where our youth can stop the violence if we also help the whole family.

It is very important that that is put into your programming and your strategy—to understand what it means for a whole family.

The youth problem is not just for the youth—it's for the youth's whole family. Because the children listen to their parents more than they even listen to us. Let's help the whole family.

Senator KOHL. You're right. That's very good. This hearing is closed.

[Whereupon, at 11:46 a.m., the subcommittee adjourned.]



## JUVENILE CRIME IN WISCONSIN

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WEDNESDAY, JUNE 1, 1994

U.S. SENATE,  
SUBCOMMITTEE ON JUVENILE JUSTICE,  
COMMITTEE ON THE JUDICIARY,  
*Madison, WI.*

The subcommittee met, pursuant to notice, at 10:05 a.m. at 3030 Darbo Drive, Madison, WI, Hon. Herbert Kohl (chairman of the subcommittee), presiding.

### OPENING STATEMENT OF HON. HERBERT KOHL, A U.S. SENATOR FROM THE STATE OF WISCONSIN

Senator KOHL. Good morning. This hearing of the Juvenile Justice Subcommittee of the U.S. Senate Judiciary Committee will now come to order.

By now we are all familiar with the statistics that bring us here today. Juvenile arrests for murder and rape in Wisconsin have shot up almost 300 percent in the last decade.

And as the chart that we have here today indicates, juvenile arrests for violent crimes increased more than 50 percent over the same time period.

It is, therefore, no wonder that many Wisconsin residents see juvenile crime as one of the most serious problems, if not the most serious problem in our country today.

We look forward this morning to discussing two crucial and very difficult issues. First, what happened in Wisconsin to cause juvenile crime to skyrocket? Simply put, why are kids more violent today?

We also look forward to addressing the obvious question that follows, "How do we turn the corner on juvenile crime?" How do we not only take back our streets but take back our kids from the culture of drugs and guns and violence?

At the outset, we must do better at a variety of things. Most importantly, the violent juvenile crime that concerns us the most—murder, rape and armed assault—is typically committed by a relatively small group of hardcore offenders.

We need to treat these people differently than other kids who have gone astray because society needs to be protected from dangerous criminals regardless of their age.

Hardcore, violent juveniles should not be shuffled through a revolving door Juvenile Justice System, in 1 day and out on the streets only months later.

Instead, we must also face the fact that many juvenile offenders will inevitably be released onto our streets at some point. So the

question becomes, what can we do to help ensure that when released they do not return to a life of crime? Which is, sad to say, not now the norm.

More than half the juveniles under the age of 16 released from Wisconsin facilities end up being reincarcerated within 2 years of their release.

If we are to be both tough and smart, we have got to ask, are these institutions simply teaching kids how to be more violent and accomplished criminals?

Unless we do better inside our juvenile institutions, we are only setting ourselves up for more of the same.

Being smart also means recognizing that violent kids do not sprout out of the ground like weeds; they learn violence over time. And they generally start out in the Juvenile Justice System having committed lesser offenses.

Indeed, the majority of the kids in our Juvenile Justice System are not violent offenders. Our challenge is to turn them around before they cross the line and become hardcore criminals and gang members. We must also reach kids at an earlier age before they even think about crime and delinquency.

We have not yet discovered any easy way to meet this challenge. It is one thing to talk about our how kids lack discipline and responsibility, and it is quite another to teach these values.

Most of us agree that the best teacher is a family; and it is, therefore, no surprise that 80 percent of the juveniles incarcerated in Wisconsin do not come from two-parent households.

In the absence of traditional family, it falls to the rest of us in the community to pick up the slack, to invest in our kids today so that our tomorrow will be less violent and less full of rage.

We are encouraged by programs like Operation Fresh Start here in Madison, which does more than counsel and mentor. It gives kids training and jobs. It teaches the value of hard work and of serving the community.

We are also encouraged by programs like Madison's Weed & Seed, which has been extended recently to this neighborhood.

When I originally got the Department of Justice to fund Madison's Weed & Seed Program, I had no idea just how successful it would become. Madison's Weed & Seed effort is, without exaggeration, a national success story.

Crime in Madison is down more than 15 percent over the last 2 years, and Weed & Seed has played an important role in this production. Weed & Seed has proven the importance of community action in fighting crime.

This partnership began with the efforts of Paul Soglin, Tommy Thompson, and Jim Doyle. Weed & Seed has succeeded, moreover, because people like Louree Holly, who is with us today, have drawn the line and said that they will not let crime control their lives and dominate their neighborhoods.

We all need to learn from Ms. Holly and others like her, because it would be a mistake to think that government alone can take back our streets. If we are to tackle our crime problem, all of us will have to do our part, whether by volunteering with children or participating in a block watch or putting together a neighborhood patrol.

So we are here today for a number of reasons. First, to take a close look at the promising programs like Weed & Seed and make sure that they are funded under the Crime Bill. Second, to listen to the people who are on the front lines fighting and preventing juvenile crime.

If we commit ourselves to tackling the juvenile crime problem on all fronts, from all perspectives, then we are likely to succeed.

Success may not come overnight; but it will come as long as people like all of us here today talk to one another, discuss with one another what works, and more importantly, dedicate ourselves to working together.

And we should start working together right now by bringing up our panel of distinguished witnesses. We are pleased to have with us today a group of individuals who dedicate themselves to tackling the crime problem and the problems of children. Their collective experience is most impressive, and I look forward to hearing what they have to say.

Jim Doyle needs no introduction. As Wisconsin's Attorney General, Mr. Doyle has been in the forefront of efforts to rewrite our juvenile laws, bolster State drug enforcement, and enact reasonable restrictions for firearms. The State's conviction rate under his tenure, 95 percent, speaks for itself.

Inspector Ted Balistreri is a veteran of Madison's Police Department. He is one of the chief strategists and moving forces behind Madison's successful Weed & Seed Program.

We are also pleased to have with us Sheriff Steven Fitzgerald of Dodge County. It is important that we remember that juvenile crime is not simply an urban problem. And we are glad that Sheriff Fitzgerald has agreed to share his experiences with us today.

Judge Moria Krueger of the Dane County Circuit Court is one of Madison's leading experts on the Juvenile Justice System. Only recently she retired from her position as chief judge of Dane County's Children's Court where she served for more than 13 years. We look forward to her view from the trenches.

Finally, a discussion of the crime problem would not be complete without a powerful voice from the community. Ms. Louree Holly is one of the leaders of the Mothers of Simpson Street, a group of African-American women who decided that it was time to step up and bravely confront crime and the problems of children in the neighborhood. She is a model for all of us, and we are happy that she could be here today.

We are asking our witnesses to keep their oral remarks for 5 minutes so that we have time for questions. And so we start now with Attorney General Jim Doyle.

#### **STATEMENT OF JAMES DOYLE, ATTORNEY GENERAL OF WISCONSIN**

Mr. DOYLE. Thank you, Senator Kohl. And I want to express my appreciation for your coming here and listening about juvenile issues.

In my judgment, this issue of juvenile crime and how to deal with juvenile offenders and how to prevent juvenile crime is the greatest challenge facing law enforcement in the State of Wisconsin today.

I hear this message from police officers who find that young offenders are laughing at the System because they believe it does not happen to have heat. I hear it from juvenile judges who feel that they do not have satisfactory alternatives when they are sentencing young offenders.

I hear it from prosecutors and judges who find a system that has few resources and can do little to the first and second offenders who come before them, these same young offenders who return to juvenile courts and later to adult courts for more serious offenses.

And I hear it from community workers, parents, and citizens who see a system that they do not believe has adequate accountability.

As you know, Wisconsin remains one of the safest places to live in the country. In fact, we saw a 5.8 percent decrease in overall crime rate in the State during 1993. Even the total number of violent crimes dropped by 3.7 percent last year.

Though our overall crime rate is low and decreasing, the statistics on juvenile crime—as shown by your chart here—have painted a very disturbing picture.

Wisconsin law enforcement agencies arrested 118 juveniles for murder in 1993. Just 10 years earlier, in 1983, only 6 juveniles were arrested for murder in this State.

And during the last 20 years, arrests for juveniles in Wisconsin for violent offenses have increased by nearly 145 percent.

Juvenile crime is not just a big city problem. Large counties in our State—like Dane and Milwaukee—smaller counties—and I appreciate Sheriff Fitzgerald's participation here—even the smallest counties in northern Wisconsin are facing the same problem. Juvenile crime is up, and the resources to tackle the problem are woefully inadequate.

The reasons for the surge in juvenile crime are complex and include a decline in family and societal structures and increases in poverty and child abuse and neglect.

Unfortunately, two of the deadliest ingredients which have been added to the mix in recent years are drugs and guns.

I am particularly concerned about the spread in this State of crack cocaine. Crack is a very insidious drug. It is highly addictive, and it develops its own market. A small rock or a hit can go for as little as \$5 or \$10. These are available to children on the street.

It is not only being sold to young people, but juveniles are often used by adults to sell crack to others on the street.

Wisconsin was one of the last States in the country to see crack cocaine. Crack entered Chicago much later than any other major city in the United States. Experts have suggested that the strong street gangs of Chicago kept crack out in order to preserve their own distribution systems for other drugs.

Yet crack came to Chicago several years ago and it is now a significant problem in southern Wisconsin. My office has led major investigation and arrest operations in Kenosha, Racine, Milwaukee and Rock Counties.

Our crime lab in Madison received only one crack cocaine submission involving a Dane County juvenile 3 years ago. Already in the first 5 months of this year, we have had seven submissions of crack in Dane County juvenile cases and two additional submissions involving powdered cocaine.

Here in Dane County, because of strong community support groups—you see some of them represented here today—excellent local law enforcement agencies, the number of juvenile drug cases is much lower than in most urban areas in the country.

You mentioned Weed & Seed earlier. I am sure you are going to hear some talk about it, but I think we can attribute some of that success to Weed & Seed. However, we cannot become complacent.

One of the truly effective tools local law enforcement has been able to use in Madison is the Weed & Seed Program. I am pleased that my office was able to work with yours on the development of the grant for Madison.

Weed & Seed is a good program. It recognizes that we need tough law enforcement to catch drug dealers and put them in jail. But it also acknowledges that in order to be truly effective, we must rebuild neighborhoods and provide alternatives for young people so that drugs and criminal activity do not come back.

One of other increases we are seeing in drugs these days, particularly directed at young children, is LSD. It is cheap. It is plentiful. It comes in small, little units like this.

And one of the most troubling aspects that we are seeing these days is that some of these hits of LSD are now being directly aimed at children with little Beavis and Butthead cartoons on them, little Mickey Mouse the Sorcerer cartoons. These are what are showing up on the streets being specifically directed at young and teenage consumers.

Another reason why juvenile crime is more troubling today than years ago, is that, it is more violent than ever before.

Our schools have been shaken by countless examples of handgun violence in this State. Arguments that used to be settled with fist fights are now being fought out on playgrounds with handguns.

Of all firearm deaths in Wisconsin 70 percent are from handguns. Admissions to Children's Hospital in Milwaukee for gunshot wounds have increased by over 350 percent over the last 3 years.

I thought you might want to see some of the handguns that have been submitted to the Madison crime lab during the last year in juvenile cases. These are the weapons that are coming in from police agencies to the crime lab.

And the weapon that has been particularly troublesome in Wisconsin is the short-barreled handgun. This is a short-barreled Raven, .25 calibre, less than 4-inch barrel length. This gun is manufactured for \$12. It is sold retail in this State for \$50 to \$60. It is sold out on the street for \$15 or \$20. Children can buy this gun with baby-sitting money.

In the Milwaukee crime lab, over half the guns that are being submitted to the Milwaukee crime lab these days are these short-barreled handguns of the Raven or either Raven or Raven variety gun. They are three times more likely to be used in the commission of a crime than any other handgun.

We need to look for solutions for dealing with juvenile crime, and we need to consider several lines of attack.

First, we need to put consequences back into the Juvenile Justice System. Young people who break the law need to be punished.

Second, we need to give local communities the resources to prevent crime and discipline our young offenders.

You will see before you today a number of people in law enforcement—the courts, the community groups who have worked very hard in this community to provide alternatives for young offenders and for others who want to keep from being offenders in this community. And they do it against extremely tough odds, because the resources in our system simply are not there.

In Wisconsin over the last 5 years, the State's spending for adult corrections has increased by over 70 percent in this State, and it has had to increase by 70 percent. I have certainly supported that. We have needed to build new prisons because we have enough people out there who are hurting us right now who need to be locked up.

But at that same time during that the same five years, the State's spending for the juvenile system has increased by less than 14 percent,  $\frac{1}{5}$ th of the increase that has gone into adult corrections. And I think that that tends to show where the priorities are and where some of the changes need to be made.

Many young offenders escape punishment and treatment because local counties do not have the money to devote to the Juvenile Justice Program.

We also need to continue valuable programs like Weed & Seed. Such programs should be maintained and expanded to cover additional neighborhoods and communities. And we need to keep working on establishing reasonable regulations to prevent handgun violence.

Again I want to thank you for the invitation for us to be here today and to share these thoughts. I appreciate your time and attention.

I also appreciate the leadership you have shown, Senator, in dealing with the question of juveniles and guns and for the important work you have done on the Crime Bill, which I hope we will see passed by this Congress and signed by the President.

Senator KOHL. Thank you very much, Mr. Doyle.

Inspector Balistreri.

#### **STATEMENT OF TED BALISTRERI, INSPECTOR, CITY OF MADISON POLICE DEPARTMENT**

Mr. BALISTRERI. I, too, would like to thank you for this opportunity to address you today on this topic of juvenile crime.

Juvenile crime is increasing at an alarming rate right here in Dane County as it is throughout the State of Wisconsin and in the Nation. A few statistics from Dane County illustrate the magnitude of this problem.

In Dane County alone during the past 5 years, 1989 to 1993, juvenile arrests have risen by 62 percent. Over the last decade, from 1984 through 1993, arrests have increased 202 percent.

Even more alarming is that during the past 5 years violent crime arrests are up dramatically, rising 166 percent; and drug arrests have arisen 148 percent during the same period.

By the time those juveniles reach one of the two juvenile correctional facilities in Wisconsin, they are veteran criminals who never had a chance as a kid and likely will not have one as an adult.

A recent report on the 355 youths committed to these correctional facilities paints a dismal picture for the State 10 years down the line.

We also know that most of these same kids will be back behind bars within a few years of their release. Time does not permit me today to explore all the reasons why the future appears so bleak for our children.

But let me mention to you what many of our neighborhood officers see and here in the communities they work. These officers see firsthand the lack of opportunities which exist for many of our children.

Many children do not have playgrounds for recreational facilities, activities; they do not have the opportunities to explore their creativity through the arts.

Many children grow up without the opportunity to learn from parental role models which help shape their character. The list of missed opportunities, which many of us took for granted as we grew up, goes on and on.

These missed opportunities, unfortunately, leave our kids with much too much idle time and creates an uncertainty about their future. Too often gangs fill the roles others should be providing. What so often accompany the gangs are drugs. Drug use is probably the biggest single crime problem facing our police in many of our neighborhoods today.

Bold action has to be taken immediately to address these disturbing trends. There is neither a single answer or solution, nor is there a single government body or social service agency with the ability to address the needs of children alone.

Too often we look for quick fixes to complex problems. Too often the children in the community they live in are not consulted in developing solutions to meet their needs.

Too often I see programs developed for the neighborhood by outsiders who leave at 5 o'clock. The community needs to be a part of any solution, because the community remains when the others have left and the money is gone. Communities must be empowered if we really expect long-lasting and successful results.

There is, however, hope. I have personally seen improvements, and there is data to show this trend towards greater violence and drug use among our children can be positively impacted.

It is occurring here in Madison because of strong government leadership, dedicated social service systems, a caring community, you are a community oriented police department.

The list of team players goes on and on: teachers, children, religious groups, parents, probation and parole agents all working together as a team.

We have a balance here between crime control and crime prevention, between security in our streets today, now, and the ultimate elimination of the root causes of crime.

We currently are receiving your help through a Federal Weed & Seed grant. We need your continual financial support to maintain our efforts here. They are successful. We need you to insure when money becomes available, it is spent wisely.

The police need to know that not only are needed programs and services going to be provided to the community but that they are effective.

Effective programs and services are characterized by a more flexible community-based approach where front line workers like police officers, neighborhood officers, are given wide enough discretion to accomplish their jobs.

Where children are viewed in the context of the family and the family in the context of the neighborhoods and the communities they live in. Where programs have deep roots in the community, are customized to meet cultural needs.

Where parental and family involvement and cooperation is sought and is a must. Where long-term preventive orientation predominates over the short-term fixes.

Where collaboration across traditional and professional boundaries is required. Where programs directed at drug use should have equal importance attached to supply reduction as well as demand reduction.

Where programs should have the support of—support the building of strong neighborhoods and encourage community involvement to prevent crime from occurring in the first place.

In conclusion, I must also argue for funding to provide us with more police officers. There is no question in my mind that we need more police officers.

However, if you are going to spend the money wisely—as I indicated you must—you should demand community-oriented neighborhood police officers like Carl Gloede, who you walked around with this morning.

We need police officers who will work together with the community and other professionals and government agencies to prevent crime and solve community problems.

However, other Federal programs would address urban needs; and root causes of crime must not be cut in order to fund additional police officers.

I want to thank you for this opportunity to address you today. I appreciate your willingness to come to us in one of our Weed & Seed neighborhoods and see firsthand some of our accomplishments and the needed work that lies ahead of us. Thank you.

Senator KOHL. Thank you, Inspector Balistreri.

Sheriff Fitzgerald.

#### **STATEMENT OF STEVEN FITZGERALD, DODGE COUNTY SHERIFF, WISCONSIN**

Mr. FITZGERALD. Good morning, Ladies and Gentlemen, Senator Kohl. I would like to put just a little bit different perspective on what we are talking about here today. I am also representing Badger Sheriffs Association, which is an association made up of all 72 counties within the State of Wisconsin.

Dodge County is a rural county that is located approximately 50 miles from Madison and 50 miles from Milwaukee. And we have felt the influx of people that are leaving the inner city and some of their problems moving out to the rural atmosphere that we have in Dodge County. And it has also brought some of the problems of the inner city to Dodge County.

I am very familiar with these problems. In my 30 years in law enforcement, I started with the Chicago Police Department and was a Chicago policeman for 10 years and worked in the inner cities of Chicago. In 1974, I was looking for a better place to raise my family. My wife and I picked Dodge County. I became a policeman in the small community of Hustisford, WI, which was a one-man police department.

A few years later, I became a member of the Dodge County Sheriff's Department and have been familiar with both inner city problems and also the rural problems that face police today.

Dodge County also has the distinction of being the only county in the State of Wisconsin that has four State institutions located within the county: Waupun, which is the oldest prison in the State of Wisconsin; Fox Lake Correctional, which is a large medium security prison.

We also have Dodge Correctional, which is now the intake center for the entire prison population in the State of Wisconsin. And we have the Burke Center [phonetic], which is a work release program for people that are going to be put back out into the community.

Because these institutions are located in the county that I am the sheriff of, I have a chance to work with the wardens and work with people that are in corrections.

And some of the things that are very disturbing for us is the amount of money that society is spending to incarcerate people today; and, unfortunately, the frustrating part is we do not feel that we are even rehabilitating these people. We are just housing these people, putting them back on the street; and it is a very high percentage of repeaters that enter back into these institutions.

In the State of Wisconsin, it costs approximately \$20,000 a year to house somebody in one of our State institutions. On the other hand, in Dodge County—and I am sure this is typical in a lot of other counties—we are spending just a little over \$5,000 per year to educate our children in the public schools.

I think that if we were to put more emphasis on education and less emphasis on incarceration, this might be the way that we can turn this around.

Seeing the things that I left 30 years ago or 20 years ago in Chicago starting to show up in the rural area are very disturbing to me and a lot of people that live there.

Some of the things that we feel can help us is education and making things aware of how the family has changed over the years and hopefully some of the programs that have been instituted on a Federal and State level will make an impact on some of the children that will be the future of our communities.

Senator I would like to thank you and all the people that have come out here this morning to listen to what some of us feel are the problems that are facing society.

And I do not profess any of us to have the answers. And I think the only way we are ever going to have an answer to these problems is if everybody puts all their prejudice down, everybody puts all of their partisan politics down and views the children as the future of our society and takes steps to insure that we will have a continuing productive society.

Thank you, Senator.

Senator KOHL. Thank you, Sheriff Fitzgerald.  
Judge Krueger.

**STATEMENT OF MORIA KRUEGER, JUDGE, DANE COUNTY  
CIRCUIT COURT, BRANCH NO. 7**

Judge KRUEGER. I want to join the others, Senator, in thanking you for inviting me to be here today. And you have given me a particular challenge. As I mentioned in my letter to you, 5 minutes for a lawyer or a judge to speak is a real challenge.

I trusted in fashioning my remarks that this illustrious panel would cover some of the different aspects of the problems we are facing and the reasons we are facing the problems. My trust was well-placed.

By limiting myself to two main points, I certainly do not want to be interpreted as saying that these are the most important main points or that there are not hundreds of others to be made.

But for the purposes of today's discussion, I want to leave you with two primary thoughts. First, by the time that we juvenile judges see children in Juvenile Court, I am sorry to report that it is oftentimes too late.

And the second point that I want to discuss with you today is that there is no one institution—be it a government institution, be it a segment of a government institution, be it a private institution—that is going to address these problems.

As to the first point, when we see the kids in Juvenile Court, unless the Federal government can issue me a magic wand, I am not able nor is any judge in this land, to reverse 16 or 17 years of a life filled with poverty abuse, violence, lack of nurturing, failure to value education, or personal responsibility. The judges and, I believe, no one else has the wizardry to counteract a childhood that has not valued the child.

Such an experience creates a child who has no reason to value or to care about others. In such circumstances, small inroads may be possible; but even those inroads are unlikely when our only response is punitive.

We must keep such childhoods from happening. Prevention is finally beginning to achieve its proper place as a priority in our discussions about juvenile crime.

But to make these exchanges more meaningful, we must dedicate ourselves to crystallizing a rigorous definition of what we mean by what is fast becoming a catch-all phrase, "for all sorts of good works."

Historically social programs for children and their families have not been subjected to empirical examination of their results. Scrutiny with set standards must be the norm for any program we institute.

It may well be that what is necessary is a continuum of services—not one program expected to reverse the trend toward criminality.

We know, for example, the value of the Headstart Program. But we also know that those benefits are quickly lost without follow-up programs to keep those benefits in place.

Instead of judging our efforts solely against the ultimate goal of decreasing juvenile crime, we should, I think, recognize incremen-

tal goals that we know will contribute to a lessening of delinquency. For example, keeping kids in school.

However, at some point, we must all be honest and speak the words out loud that both prevention and defense services must be funded and staffed before we can ever hope to divert these children from the commission of crime.

The exorbitant expense of removing delinquents from the community cannot be accepted as a justification for failing to provide full-scale prevention. Even Dane County, which is oftentimes cited as an ideal type situation, is in fact engaging in triage.

Our social services department is not able to generate any truancy petitions simply because they are so overworked and inundated with child abuse and neglect cases.

My second point that no one institution can make up for these deprivations faced by these children, I believe that far too much time and energy is taken up blaming one institution, one system or another. Schools, social services, graduate courses, you name it.

We can't blame one institution. For the most part, the legislative response has been simplistic—lock them up. It is massively easier to say than to fulfill the reality that this is a problem all of us must face.

Unless the systems begin a true cooperative effort, I fear we will see only a continued growth in the rate of youthful crime.

In the last year, I have spent a lot of time speaking to community groups about this issue. And I have experienced an unexpected response. Almost to a group, there have been people standing up in the audience saying, How can we help?

Churches, service clubs, caring citizens, when given the opportunity, do understand the complex problems many of our crime community children face. From this understanding could be developed valuable resources for these children.

The Children's Defense Fund survey recently showed that children look first to their families for role models and then to religious leaders. We do not have to go to sports figures. We can take the people nearest and dearest to these kids and engage them with the children.

At long last, there is a glimmer of realization that we must stop trying to make the child fit into the various systems we have developed. But instead, we must form the system so that they conform to the child and her or his needs.

To do this, we must have a freer exchange of information about the child and family as well as an earlier identification of at-risk young people.

There must also be far quicker identification of the families who will not or cannot raise healthy, whole children and speedier efforts to place their children with families who will. The experiences of older siblings must be available for such determinations.

Community centered involvement is critical to achieving each aspect of what I am describing. The imposing standards and help from above or from a distance is far less likely to engage the family. It can be viewed as threatening and may often be mistaken.

There is a fine line to be tread in terms of what we offer to these communities. Weed & Seed, insofar as it truly inspires a community effort, represents the kind of Federal programming that can

help this process. I also applaud the Youth Development Block Grant, which has recently passed Congress.

Thank you for listening to me, Senator.

Senator KOHL. Thank you very much, Mrs. Krueger. Ms. Holly.

**STATEMENT OF LOUREE HOLLY, MOTHERS OF SIMPSON STREET**

Ms. HOLLY. Thank you, Senator Kohl, for inviting me. And I would also like to, at the risk of sounding like I am sucking up—which I never do—would like to say thank you for all the wonderful work you have done, particularly in Milwaukee.

I have friends—and I have been watching you for a number of years—I have friends who have wonderful things to say about you, the things that you have done for the Afro-American community. I would like to publicly, they told me last night to publicly thank you for that.

Each year more than 10,000 young black men ages 15 to 19 years old are murdered, mostly by each other. That is more deaths than the U.S. Military had in Vietnam each year.

So that means that it was safer for a black child to go to Vietnam and fight on the front lines than it is for him to live in a housing project or live in what we call the ghetto.

Seventy-five percent of all African-American men between the ages of 12 to 17 that are living in low income communities will be a part of the Juvenile Justice System.

Eighty percent of the young black men ages 12 to 19 who are living right in our community on Simpson Street, right here in Madison, right here in the State capital are either on probation or have been a part of the Juvenile Justice System.

Being incarcerated for gang violence, for drugs, burglaries, disorderly conduct, etc., are only symptoms of a major problem. Once we begin to recognize that these are symptoms of a major problem, then we begin to get on with what we need to do. Because we have to understand that our children are not—their needs are not being met.

Somewhere we are going wrong and are not doing what we need to do to meet the needs of our children so our children will not have to turn to gangs and to violence and to drugs.

And I am not making excuses for our children; I am quoting you the facts, because I see what happens every day. The responsibility is on us, as parents, and not as biological parents but as surrogate parents.

Our children are, in Madison, in the State capital, 60 percent of the children in our neighborhood are going to bed hungry every night. Every night, 60 percent of the children go to bed hungry. Now why is this happening in the State capital? Why is this happening in Madison?

Why are people pretending that they do not know that this is what is going on? Because everybody should know that this is what is happening right here in Madison. Right here in the State capital, my little brothers and sisters are going to bed hungry. How sad? Now, what are we going to do about that?

The elected officials from the county, from the city, from the national levels will have to begin to understand that they can't fix it

without our permission. We community people, we the grassroots people have the answers that is going to save our kids.

What makes people angry? And, particularly, someone is always asking me the question, Why are black people so angry? Well, give me a break. Why are we so angry? We are angry because our kids are going hungry, because our kids are not getting a proper education, because our kids are turning to gangs and violence because their needs are not being met.

And why are their needs not being met? It is because our parents are not getting the quality jobs that they should get. They are not themselves getting the quality education that they should get. And they are not getting support that they should get.

Now, we are not asking anybody to come into the community and take control and pick us up and carry us on your back. That is not what we are asking.

We are asking for resources, for help, for you to look at us, to listen to us, and to hear what we are saying. We are saying that we need support in our communities. We need resources. We do not need you to carry us.

That makes us angry when you feel that you need to come into the community and pick us up and carry us. That means that you think we are stupid. And we were not stupid.

We feel that you think that the, that holistically people think that because you are low income and particularly if you are black and low income that you are stupid.

Now how many stupid mothers can take two pork chops, cut them up and make gravy and feed seven and eight children? That is not a stupid woman.

But when Jesus took two loaves of bread and fed multitudes of people, it was a miracle. But when my sisters do it on Simpson Street, feed eight people with two pork chops, they are stupid. Well, I say they have created a miracle.

And when my little children go to school after staying up all night long—most of them hungry, tired and cold—gets up and gets five, three, four little brothers and sisters ready to go to school and they themselves go to school, I call that a miracle.

No other Nation on earth will sit back and let things happen that are happening. People are rising up all over the world: Bosnia, South Africa. People are rising up all over the earth and saying, "This is it. Enough is enough. We are ready to make some changes." And either you are going to listen to what we have to say and come along with us, or we are just going to go for it.

Because people are tired of being hungry. They are tired of being cold. They are tired of not having the proper place to stay.

We have black people come here from Chicago. The attitude is that, Oh, look at all those gang people coming from Chicago. Well, they are leaving a scene so that they can better themselves.

They have the idea—which is not at all what it should be—they have the idea that they are coming to The Promised Land, they are coming to a city where they can better themselves, they can get better education for their children.

And when they come here, they find out that they are stuck in places like Simpson Street, concentration camps like Somerset where you pile all black people together.

And they can not move out because if they use the address of Simpson Street, they use the address Somerset Circle, nobody is going to rent them an apartment.

They go looking for jobs and use the address Somerset Circle or use the address Simpson Street, nobody is going to hire them.

So basically they are stuck in concentration camps. They are destined to be poor. Our kids are destined to follow that role. Then you build a brand new county jail, which is a condominium for my black brothers—and we all know that—but then you wonder why we end up in the system.

One of the other things that we need to address is that the Mothers of Simpson Street, as a grassroots organization, we started 2 years ago. We have never asked for county funds or any funds.

All of the monies and all of the things that we did—and we did a number of things, unbelievable things that we did—we did it by pooling our own resources together.

There was a reason for that. The reason for that is that we wanted to go back to the world. We wanted to let the world know that we can do it like we used to do it when I grew up.

There was no hungry kids in my neighborhood. Because if a kid was hungry, every mother in the neighborhood fed that kid.

If her kid, a child did not have clothes, every mother in the neighborhood gave a garment to that child. And this is what we wanted to do. This is what we wanted to prove. And we have proven that we can be successful without systems, people, or without the money.

However, now that we have proven that, it has been 2 years, now we have become incorporated. And we want to express to the Senator that we are looking for Federal funding; and we need our program funded so we can continue to do the work that we are doing.

And some of the panel said, "We do not have the answers." I do have an answer. The answer is, from my perspective is that the community grassroots people should get involved and should be giving the power back to the people.

The power should be given back to the people in the community. They should be the one in charge of their lives. They know what the situations are. They should be the ones to make the difference.

And I am not going to make excuses for my brothers and my sisters who go around saying, "Well, I cannot do anything because, The Man, is riding my back."

So I do not want you thinking I am making excuses. Because we have to get up and do things for ourselves. And I do not believe "The Man" can ride your back if your back is not bent.

So I want to close by just saying that the answer is to give the power back to the people in the community, to fund grassroots community organizations who have already established working relationships with the Blue Blanket, with the Weed & Seed, with the Madison School District, with the juvenile courts.

We have met with the courts. We have met with the judges. We went to take a look at the detention center. We have done all of that over the past 2 years. And these are the kinds of groups that need to be funded. These are the kind of people that need to take control of the neighborhood.

The neighborhoods need to stop being ran like plantations and being ran like a neighborhood should be ran, and the people need to have the power.

Thank you. And I know I went over my time. Sorry.

Senator KOHL. We thank you, Ms. Holly. I would like to start out by welcoming our young people here today. Soon we will ask you to make your comments.

And I say this because we are very interested in hearing from you. You are why this hearing is taking place today, and you are what it is all about. We are most interested in hearing from you, so I hope you will be thinking about what it is that you want to say to us.

I often say I am interested in your reaction to this. One of the biggest reasons why we have the problem that we have today with respect to young people in our society is that kids do not vote and kids do not contribute money to political groups.

And in a democratic society the people who sit around the table deciding how the resources of our society are going to be spent are elected officials at all different levels, both Federal, State and local. They are very responsive to those who put them in office and who they want to keep them in office.

Well, it is unfortunate that the group that seems to be most maligned, most underserved and at greatest risk in our society are young people. And it is no coincidence, I think, that they do not vote and they do not contribute.

I am interested in your reactions and maybe some of the comments that you can make with respect to how we can alleviate this problem.

I think this problem is very, very serious. Until we get some understanding of the responsibility of public officials, I do not think we are going to make all the progress that we need to make.

I am also interested in your response, members of the panel. Today we have this problem of a multifaceted society which has changed so much over the past generations.

When I grew up, virtually everybody lived in a two-parent family. Virtually everybody had a job. All the kids went to school and had great respect for authority both in school and public authority. And when they graduated from high school, there was a job waiting for all of them without any kind of additional education.

All of these things have changed today, and they are some of the basic foundations of our society which are no longer in place.

Have we failed to reorient our society to the realities that we are now living with? Is this a wholly new phenomenon that we are facing which we have not yet figured out how to respond to? Or are there some basic things that we have to return to? Those are two thoughts I have. I am interested in what you have to say.

Mr. Attorney General, do you have some ideas, any thoughts?

Mr. DOYLE. Well, Senator, the first point I agree completely. I think in the State of Wisconsin we have a good illustration. I believe, I personally believe—I think it is been echoed by a number of Statements here—if we are going to deal with the problem of juvenile crime and in fact adult crime, that child abuse and neglect prevention has to be at the top of our priority list.

And yet in Wisconsin when it comes to dividing up the budget—and these are tight economic times and there are many different groups that have legitimate claims to try to get resources—what we do for child abuse and prevention in this State, what we just did is up the cost of a duplicate birth certificate by \$1 or \$2, which put another half a million or \$750,000 into abuse, prevention and neglect.

Whereas, we bond a prison for \$50, \$60 million, whatever money is needed. So the people working to try to prevent child abuse and neglect are sitting there begging trying to get \$1 more out of a duplicate birth certificate in order to get some money that is going to go into abuse and neglect prevention.

And I think it sort of shows, illustrates the point you were making that when the real dollars are being divided up in the State budget or Federal budget, it is groups that have very significant lobbying operation, that have full, paid fulltime staffs working at the Hill or State capitol everyday that are making sure they get their cut.

Of course abused or neglected children do not have a nice fancy building in Madison or fulltime lobbyists working for them.

So it is a pitch I make around the State that I think it is very important that the people in this room who really care about this issue have to step out of their roles from time to time as police officers, Attorney General or judge and be willing to do some of that lobbying that is not going to be done by a professional lobbying staff that will be—and that is essential, in my judgment.

And when we come to deciding what our priorities are in this State that we satisfy the number one priority is our children. And certainly in that, within that priority, preventing abuse and neglect has to be the number one priority and how we deal with our children.

We all have to say that and we have to make sure that the legislative voice, that voice is heard in the legislature.

And the second point, I think that one of the most fundamental problems we have is that we do not send very clear signals to our children about what is expected of them. And what we send, sometimes we do not reward children well who have done a very good job. Often we do not punish kids sufficiently enough that have done a bad job.

There are many kids in this State and country who work very hard and who are going to school every day. And as Ms. Holly pointed out, we have asked a learning coordinator at a local middle school about kids who come in at 8 o'clock in the morning, and they may be 10 minutes late, and you find out, ask why.

Well, it turns out they have gotten three other kids off to school and taken two buses and shown up in school. And I agree that kid—with Ms. Holly—that young person walking through the door of that school that should be greeted as a hero, that it is a miracle that that young person walks through the door of the school.

And I am concerned that we do not sufficiently reward that kind of tremendous commitment and accomplishment by young people.

And on the other hand, we have children who commit serious offenses and who see a Juvenile Justice System that once they have

been through it one or two times and realize there really is not a whole lot that can be done and walk out of it.

And we, in fact, have adult criminals using juveniles to perpetrate crimes because they know the juvenile system is one that it may not have very great consequences.

So I think we need to work very, very hard. I have been in Judge Krueger's court many times. And this is an example of a judge I have seen be very, very clear on young people of what was expected of them, what she can expect. She did not want to see them again in her courtroom and they will know that. She is also ready to pat them on the back when they had done a good job.

And I think we need to be able to, in your governmental response to this problem, be much clearer in what the expectations are that we are going to hold young people to responsible behavior and they are going to suffer consequences if they do not; but if they perform, we will be there to help them out.

Senator KOHL. Inspector Balistreri.

Mr. BALISTRERI. A few thoughts. I thought your idea of juveniles, children voting was an interesting concept. I am not really convinced one way or another whether that is going to be the answer.

I do think, though, that what you are trying to obtain through allowing the children to vote, to be accomplished in other means.

I think it is critical that those that make the decision in terms of the services that need to be provided and how they are going to be provided are made by the people within the community, the community people, and of service providers within the community, the neighborhood officers, the health professionals who are working the neighborhood. Not by us who sit in offices far, far away from the neighborhoods.

It needs to be done by those that actually are working in the neighborhood, that care for the neighborhood, and that are part of those communities.

Your concern for the need for jobs I think is, jobs for children and for adults as well is critically important. I think kids want to do right.

I think most kids are out there and they want to do the right thing. But they also see other kids that they go to school with cars, with nice clothes, with proper health facilities, with good food on the table. And they want these same things. And they need the jobs so they can also acquire those things.

They need alternatives to obtaining money other than through the selling of drugs or through robbery. They need the opportunity to work and be within the community. I think those kids want to do that.

Senator KOHL. Thank you. I did not suggest they should vote; I said they do not vote, as I am sure you understand. And that makes such a big difference when it comes time to deciding how we are going to allocate our country's resources.

Judge Krueger.

Judge KRUEGER. I want to make this point: past generations, there has been an interesting, alarming but surprising and happy statistic. On one hand, the number of senior citizens who live in poverty has gone from 20 percent to 10 percent in the past generation; and I think we are all very happy about that.

But at the same time, the number of young people that live in poverty has risen from 10 to 20 percent, a total reversal of that statistic.

And I think it underscores the fact that we make here, that I have made so often, is that a lot of this has to do with, most it has to do with representation of who allocates the country's resources.

And as you have pointed out, Mr. Attorney General, of these groups, senior citizens—and to their credit—are so well organized and they vote so heavily that they are able to influence—and not illegitimately—they are able to influence expenditures of funds that will bring their poverty rate down to 10 percent.

But the kids have no way of expressing their own desperate needs. And as a result, their poverty rate has gone up to 20 percent.

Sometimes Jim Doyle says things that make me want to cheer; and I think he just did that today. I think the bottom line on what he was saying is that because kids do not represent real constituencies to elected officials, we have an even greater responsibility, a duty to speak for them.

But as to your point as to what things were like back when you were a child, I think sometimes we in government or the system give very mixed messages.

One of the things that I really had difficulty tolerating any longer was looking at 12, 13-year-old girls rejoicing in the fact that they were pregnant. We have got to talk about children having children.

And one of the things that happens is all sorts of expectations that this child really should not have by becoming pregnant are met: A form of independence. The ability to get on welfare and have that child supported on welfare.

The ability, except for correctional placement, to, in essence stymie juvenile court from doing anything. The corrections will take pregnant girls.

A sense of everyone smiling and saying, Oh, isn't this wonderful; you are going to have a baby. Someone for this child to love, who may feel that she has a lot of love to give, no place to direct it.

A sense you may have proven something to the father of the baby, who has no intention of taking any responsibility for this baby because he is a child, too.

So not only do we have an unrepresented constituency not old enough to vote, not old enough to be trusted with that responsibility, nor old enough to have those children and have those children given to them.

And I am sorry to report to you, Senator—maybe I have been around too long; I am on my third generation of some of these families—and at some point we have to figure out what public policy we are using that may in fact be reinforcing the statistics that we all know too well.

Senator KOHL. What do you think the elements are of the public policy we are using that need to be changed?

Judge KRUEGER. I am not a welfare expert, and I am not here to advocate Draconian measures. But I am wondering if in fact teenage motherhood should in fact be a ticket to the full rights and responsibilities of adulthood?

Aren't we in fact rewarding what we bemoan on the other hand? And I think we have got to sit down and think about what it is that we are doing.

I think we have got to begin to talk about what it used to be. It was not necessarily a powerful good thing when someone who is not able to be responsible for a child had a child.

But now we are really not allowed to say that. We have to accept that and proceed as though this person whom we know is unlikely to be an adequate parent will be an adequate parent.

There is a certain amount of hypocrisy involved in the way we are handling the situation. And I am not talking about necessarily cutting the mother and the child off welfare, but perhaps they do not live independently.

Perhaps the child/mother does not have the authority to determine all the expenditures of the government funds given to her to support her child. So that we are sure that she is continuing her education even though she has given birth. So that we are sure the child is in fact getting all of its needs met as we provide family for this child. But it need not necessarily be rejoicing or a basis for an immediate halt to all the other proceedings going on.

Senator KOHL. Yes, Ms. Holly, then Sheriff Fitzgerald.

Ms. HOLLY. I just think we are basically, when we are talking about teen pregnancy and all of the other problems that we are having, we are basically putting the cart before the horse.

I think that we should start dealing with more intervention and prevention as opposed to planning, just assume that this is going to continue for the rest of our lives and that our kids are going to continue to get pregnant and they are hopeless and helpless and nothing is going to prevent that.

I think we should take the lead role and start doing more intervention and prevention. That can happen. When I was growing up—and I am not going to tell you how long ago that was—for a girl to get pregnant was an absolute scandal. It was an absolutely horrible scandal.

And now it has been the norm rather than the exception. And there are reasons for that. There are reasons that young girls get pregnant.

They are already getting pregnant. That is because there have not been a mother figure and father figures. And they feel weak when they get pregnant by Mr. Little Boy. They were going to get someone to love them and they are going to have a baby that loves them.

But it only becomes a burden and brings them down to another level where they are even more impoverished and even more in a situation where they are feeling hopeless and helpless.

And I think we should put a lot of time into talking public policy and talking analytical data and talking welfare and how we are going to help those women once they have these children. I think we should be trying to focus on how are we going to prevent our children from having children.

Mr. FITZGERALD. Senator, I would like to just change the focus, say a little bit and talk about some of the practical things. And what Ms. Holly is saying is true, and she is talking from the heart and experiences this daily.

And I think a lot of us that live in the rural community forget the Simpson Streets, forget the Cabrini Greens and all the inner city problems. Which in effect that is directly involved with all of us—not just the people that are suffering in those places.

As a sheriff, I am responsible for the county jail, as all sheriffs are. And, as you know and I am sure Attorney General Doyle will agree with me, that the Children's Code is outdated. It was written I believe some 20 years ago, and society has changed drastically in that last 20 years.

And one of the frustrating things for the sheriffs is that we, through Federal regulations and State regulations, cannot keep, incarcerate our own juveniles in our jails. They must be kept in secured detention, and it has become very regionalized.

And one of the problems we are seeing is that we cannot classify the children. In other words, we take the very hardcore children and put them with the first offenders into the same institution; and they, a lot of times, are coming out a lot worse.

And then we are going in—and it is not only in Dodge County where they are or Waukesha, or Dane or Shawano County—and also happens with Ms. Holly's children when they are on the border and they are incarcerated and meeting the hardcore and coming back out worse than when they went in.

I think we have to look at the Children's Code, and I think we have to be very practical about that in today's society standards. And I think we have to look at some of the harsh regulations that we have had, I believe because of some of the abuse that has happened in other States.

I think Wisconsin can be proud of the institutions that we have, and they are respected throughout the whole United States.

And I think we are suffering from some things that have happened in our State. And I think if we get back to some of the local rules and regulations, we would be a lot better off for it and our children would be a lot better off for it.

Senator KOHL. I think what I have heard today is that we need to do a better job of both law enforcement and clearly a better, more effective job of going and getting those people that do not deserve or should not be on the streets and help them effectively.

But we also have to do a much better job of preventing these problems from occurring in the first place. And while that is the responsibility of us collectively as a society—I think we are all saying this, and it is and we must never forget that.

It is not just the collective responsibility we have, certainly it is a major responsibility of public officials who have to be willing to step up to the plate and speak the truth and cast the votes that will put us on the road towards achieving some of these ends.

But we would like to open it up right now for questions from our young people for a few minutes. We would like to hear what you have to say. Direct your comments and your questions to any or all of us.

You are why we are here. Attorney General Doyle is running for reelection this year, and he needs some tough questions.

Mr. DOYLE. I am not the only one, Senator.

Senator KOHL. I will ask this question. You have heard us talk about the problem of drugs in our society, the problem with drugs

here in our midst in Madison. Are we overblowing it? Is it as prevalent and as easy for kids to get drugs?

Do we have the problem as seriously as some of us worry about it, or is this something that we are talking about that isn't nearly as serious as what we are making it out to be?

Would one of you like to comment on that—the problem with drugs in your neighborhood, in your school, in the areas in which you live? Go ahead. Why don't you stand up and just tell us who you are. We would like to hear your comments.

What is your name?

Ms. JOHNSON. Sarah Johnson.

Senator KOHL. Hi.

Ms. JOHNSON. OK, I do not think it is a real big problem. I go to East High, and I do not really see it as a big problem there. But I do know that it is very easy to get drugs from friends and stuff. I have heard they have kind of got it. So I know it is very easy to get. And if you wanted to, you could get it.

But I do not really think it is a problem at East High. I have not seen any drugs or anything at East, so.

Senator KOHL. You say drugs are easily available to those who want to get them?

Ms. JOHNSON. Yeah.

Senator KOHL. There isn't anybody who wants a hit that can't find it almost anytime?

Ms. JOHNSON. If you wanted to, I think you could. I mean not at school. I do not think—I have never seen it at school. But I am saying like around the projects and stuff and Somerset Circle and that kind of thing, I think you can get it very easily.

Senator KOHL. All right. Anybody else want to comment about drugs? We are interested in how prevalent are drugs and serious.

Come up and let us hear your name, sir, and maybe make a comment or two about drugs in your school and neighborhood. What is the situation? What is your name?

Mr. PETERSON. Jason Peterson.

Senator KOHL. Hi.

Mr. PETERSON. I feel really concerned about the drug problem at East. You see it everywhere you go. I mean, it is sad. I mean, the drugs in itself you do not see but the effects you do.

And we have high society children walking around in high school that are just brain dead. They are just going to class. I do not know what they are picking up.

Senator KOHL. They are afflicted with drugs?

Mr. PETERSON. Exactly.

Senator KOHL. You know people at school—without names—you know people at school on drugs?

Mr. PETERSON. Plenty of them.

Senator KOHL. Plenty of them.

Mr. PETERSON. Yeah.

Senator KOHL. Is that right? All of you know kids at school just all whacked out? You are all shaking your head. Is that a fact? Whacked out with drugs?

Ms. HOLLY. I have a question for you. You just stated you know there are kids at East that are involved in drugs. The young lady before you stated that she did not think there was that many drugs

at school and they would have to get them at the projects, Somerset, this and that.

I do not feel, in fact I know that is not true. I know they have the drugs on the East side and white community. Can you address that?

Mr. PETERSON. I see drugs easily to get anywhere you go. You talk to anyone and they are going to know someone who can get something for you, no matter how long it takes. They are easy to get whether you are trying or not.

Ms. HOLLY. I want to make sure that is not just at Somerset and projects but they are in the white community?

Mr. PETERSON. Exactly.

Senator KOHL. So you are saying, Jason, that drugs are so prevalent that they could be described as, for young people, an enormous temptation to resist?

Mr. PETERSON. Exactly. I mean, you go out with friends and they start getting high. That is where peer pressure is going to come in. It seems to me that it is just getting bigger every day. There are more people doing it.

Senator KOHL. It almost suggests that in addition to your need to resist there is a requirement in society somehow to lessen that temptation. I mean when kids are so exposed to drugs. When I went to school, there were no drugs. I did not have that problem.

Ms. HOLLY. That is right.

Senator KOHL. You can imagine when drugs are as prevalent as what you say they are—you all shake your head. Are drugs that prevalent? Would you give us your feelings and some comments? Right, what is your name?

Mr. GATEN. My name is James Gaten [phonetic].

Senator KOHL. Tell us about it from your perspective.

Mr. GATEN. You can, just in school, you can just walk up to someone, one person; you can ask them—if you need some drugs at all—and you can just get it right from them on the spot.

I live near Bier Court, and I would say it is easier to get drugs at school than in my neighborhood.

Mr. DOYLE. What drugs?

Mr. GATEN. Any kind of drugs, you can get. Well not—I have never, none of the hardcore drugs like crack.

Ms. HOLLY. You mean like LSD?

Mr. GATEN. Marijuana.

Ms. HOLLY. Sure.

Judge KRUEGER. A comment here.

Mr. BEHN. My name is—Behn [phonetic]. And as for the drugs, I would like to say it depends on the group you hang out with. Drugs that I notice are not that prevalent. It really does depend on the people you hang out with.

As for myself, I spent 4 years in a tech school at East High, High School. And I personally know for a fact unless you hang out with people that do drugs, the peer pressure would not be so bad.

So it is kind of a cop-out to say if you want drugs—because anyone can do that. It depends on who you are and where you come from and what you have been doing in your life.

Also, as Ms. Holly said, drugs in the white community is very high. Only it is considered a club in the white community, because

there is more money. The parents give the kids money and expect the kids are just going to the mall.

And these kids get bored going to the mall and end up going to parties. And at these parties, the drugs are very easily available because the kids have the money to go out and buy it.

I mean, it is so easy for your mom and dad to give you an allowance of \$50 a week. And I live in a community which, I hate to say, is a little bit upper middle class. And I do not do drugs, but I know people who get together on weekends and have parties and do drugs.

And they are not able to get caught. And they are not caught because their parents are able to cover up for them. The white parent or the white community parents—which I am saying is not totally their fault—are just naive. They sit there and go, "Oh, my kid wouldn't do drugs." Yeah, right.

I have been seeing it going on for years. It is a cop-out. Parents give kids money. They expect their kids to go to the mall. The kids aren't going to malls. They spend Friday nights with their friends doing drugs.

And then these white parents of the upper middle class money are able to cover up for their kids. So I am not trying to push the blame around. It is just got to stop somewhere, and I guess it would have to be at the parents.

Senator KOHL. Would you make a comment on some things you think we need to do as a society?

Mr. BEHN. I guess as a society as a whole, I guess you should stop giving kids mixed signals. I see that beer commercials and advertising sports. I mean, what the heck? You can't play volleyball and drink at the same time. And when you do, you are going to go out there the next day with a hangover, oh, here comes the ball.

And then I guess as a society, society is not working. It is not. People talk about it. They sit there, "Oh, we need to do this and this." And no one does anything.

And I have to admit I am one of these people, too, because I can sit down and have a conversation about society not working and not do a thing about it.

But I guess it comes down to the parents. I really think that it is the parents that need to start to get together and realize what is going on. Because I am sick and tired of parents being naive. I am just tired of parents giving up on their kids at the age of 15—they are in high school; they are old enough to be on their own.

That is not true. I know as an 18-year-old if my parents left me right now, I do not know what I would do. I am just—I guess parents need to pick up somewhere. I mean in the society and community can help, too. But it is 90 percent parents and 10 percent society.

And as for the drug dealer, you have to go up—and it takes a lot more effort than going, "Excuse me, can I have some pot?" You have to go, you have to network. You have to work through the system. You have to go, you have to look for the people. You have to go and ask around.

As for guns and weapons, I have never seen anything. But again, then again I am not one of those people that hang around with people at night who go buy guns, so.

Personally I guess I am naive. I kind of like it that way.

Senator KOHL. Those are good comments. I would like to ask the panel about guns, as long as we hit on it. Are guns available, easily available? Are they prevalent in your society, where you travel, where you live, where you work, where you go to school? Who else wants to make a comment?

Audience PARTICIPANT. I have a comment I would like to make.

Senator KOHL. Yes. And then you go ahead first. What is your name?

Mr. SANDERSKA. Rick Sanderska [phonetic] with "The Capital Times." First of all, I want to say that I am kind of at a loss of emphasis on educational prevention as much as you guys are talking about the punitive measures that have been dominant in the past.

But I want to make a few points. No one has brought up the issue of legalization, taking the crime aspect out of the drug trade.

No one talked about the fact that even though black youth, black adults are being incarcerated at surreal rates for these crimes, it is not blacks who can afford the stuff and bring it across the borders that is being dumped into ghettos and blacks are being incarcerated for that.

That woman here said that society is not working, and she clearly touched on the major issue today, because it is not working.

How can you incarcerate people for that even though the, admittedly most of the drugs are brought here on nonblack shoulders? And that is a paradox that a lot of kids see.

Another paradox black kids see is the contradiction of white criminals, the black criminals. For example in the Menendez boys, they are virtual cult heroes. But you know black criminals are given the full extent of the law most of the time.

What else did I want to bring up? I just wanted you to, like, think about that.

Senator KOHL. We thank you—

Mr. SANDERSKA. A lot of people are concerned about that black people—

Senator KOHL. I appreciate your comments.

Ms. HOLLY. Can I make a statement?

Senator KOHL. Yes.

Ms. HOLLY. I agree with everything you said, particularly, but I was concerned when we make statements—and I—no one knows better than I—that black people do not own boats, and planes. We cannot fly this stuff over here.

But at the same time, that is not an excuse for us to say, "Yeah, let's let it happen in your communities because we did not bring it over here."

But crack cocaine is the only drug in the history of mankind that has made black women forget they are mothers. And to have a brother, my brother come into the community and sell it to my sisters and they get high on coke—they say, take the kids' clothes off their backs, takes the food out of their mouths.

It kills me. But you got to know when you do that to my sisters, to your communities, there is no excuse—it is no excuse—they floated it or fly it over here. They do not land in our communities.

You keep bringing it there. You know when I say, "you," I am talking not you personally.

Then they say that, you know, the White Man's putting it in our community. Why do not you say, "No, take it back to your community?" Why do not we say "No" to that stuff?

Why do we keep allowing our children to suffer because we want to hide behind the fact that we cannot fly it and float it here? And I agree with what you are saying, but it makes me sick. That part of it makes me sick.

And I totally, I am with you 100 percent. But the fact that we can say no, not in our community—that is what we have to focus on rather than who brings it over.

Let them bring it over here. Let them do what they want to do with it, but we do not want any part of it. And that is the role we have to take.

Senator KOHL. What is your name?

Mr. HAMMOND. Mike Hammond, also a student at East High. I guess I would like to touch on a little bit guns and drugs kind of intertwined. I am definitely in favor of a lot more intervention programs.

Because I think as far as drugs go, I agree with the people that say its a very widespread problem. It is not—it is all over; it is not to one group. It is, right now especially it is almost become, I mean drugs have always been—especially recently, I mean, they have been increasing. But I think right now it is especially, it is kind of a trend so that is like I think it increases even more.

And I just think that right now that is a pretty big following and selling it. Also I think there needs to be more intervention for your programs because when you have someone, I mean right now education is so expensive and the outlook for a job even after college is bleak in your graduating high school. And to get to job there, you are stuck in one track; and to move up to another track, it is almost impossible without spending so much money on education to get there.

So you have like a real bleak outlook on life, you know, when you can't attend like a secondary school of some sort. So, you know, selling drugs is the quick and easy way to get money doing that.

And doing is also, you know, a way to turn when you are depressed because, you know, your life may be not going well. But I think in high schools, parties are almost—you go to a party and there are drugs everywhere.

Senator KOHL. What did you say?

Mr. HAMMOND. Going to party, any kind of party, there are drugs everywhere. And getting them at school is not very hard if you know like the right people.

And I guess I would also like to touch on a little bit as far as East goes and what I have experienced, I have not seen, you know, guns as being a problem. I know they are. I know some people take them, but I personally have not seen them at school.

I do not think at school they are a great problem. But I think something definitely needs to be done about handgun control. I guess that is all.

Senator KOHL. Thank you. Yes, sir, what is your name.

Mr. LEROY. Ben Leroy. I think that the biggest problem is there is too many doctors diagnosing the problems and there is not enough surgeons like Ms. Holly or like Keith Bush [phonetic] back there actually getting their hands dirty, going out in the community and doing the work.

There is a whole community like—was saying, people naive, turning its backs on it; living in a community, "Well, it is never going to get to me." And if I stay in this little area, nothing is ever going to happen to me.

But they always have a comment to make that, I know then or think they know what is going on. They think they know what is wrong but they are completely out of it.

And then people like Ms. Holly are getting no respect because—before today, this is like the first time I have ever seen her. And I am active in the community.

Keith Bush is back there and—would you stand up? Keith Bush is the—what is it?

Audience PARTICIPANT. Minority affairs coordinator for the city, county? And no one knows that; no one knows Ms. Holly. And it is a lack of getting publicity, respect; and the wrong people's opinions are being held to, like regarded too highly.

And I guess that is the problem is the right people are not being heard and the wrong people are. And the wrong people are not doing anything, and the right people are.

Senator KOHL. That is good. This hearing will be over in 5 minutes. In closing, I want to call someone up who is on the front lines getting his hands dirty and doing a great job right here in this community where we are sitting.

And that is the Officer Carl Bloede. Carl, would you come up and tell us a little bit about your job next door? Carl walks the streets of this community everyday, and he has real hopes and ambitions and he sees quite a bit of it.

Just tell us what you see, what you think, where you think we need to do a better job. How you do your job? Tell us about it, Carl.

Mr. BLOEDE. I would like to reiterate special thanks to all the panel here. What they have mentioned is exactly what is going on. There is not much more I could say to add to their opinions and solutions.

We have problems in the neighborhood, and there are always going to be some problems. It is a matter of how effectively we can solve the major ones which will eventually solve the minor ones as far as drugs, gangs, crimes in general.

Community policing does work. It brings officers into the community and allows community members to become, get on a personal relationship with the officers and breakdown some of the stereotypes that traditionally are builtup between citizens and law enforcement. It is very effective. It works.

It takes time, though; and it takes a lot of resources and support from not only the department but other agencies in the community.

I guess I would like to reiterate that the more community officers, police officers that we have the better the outcome will be in solving the problems that we have getting officers back into the community working on the lines with the residents, the organizations and solving the problems.

Because that is where the solutions are going to come from is from within the community working within itself and solving the problems instead of organizations and activities thrown at them and not being embraced by them. Thank you.

Senator KOHL. Thank you, Carl. That is a great Statement. Well, it has been a good hearing. I think we have had various points of view and shed considerable light on the problems. We are not going to solve our problems overnight. They did not occur overnight; we are not going to solve them overnight.

It can be said, I think, that it is darkest always before the dawn. And it seems to be very dark right now, but I believe there are groups out there, I really do, and so many good people working at it so constructively that we are going to make progress in the immediate timeframe ahead. So we appreciate your coming very much to help us a lot. Kids, thank you for coming. And this hearing is adjourned.

[Whereupon, at 11:26 a.m., the subcommittee adjourned.]



## JUVENILE CRIME IN WISCONSIN

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WEDNESDAY, AUGUST 31, 1994

U.S. SENATE,  
SUBCOMMITTEE ON JUVENILE JUSTICE,  
COMMITTEE ON THE JUDICIARY,  
Appleton, WI.

The committee met, pursuant to notice, at 10:55 a.m., in Courtroom A, Outagamie County Justice Center, Appleton, WI, Hon. Herbert Kohl (chairman of the subcommittee), presiding.

### STATEMENT OF RONALD VAN DE HEY, COUNTY EXECUTIVE, OUTAGAMIE COUNTY, WI

Mr. VAN DE HEY. Good morning, everyone. It is good to see such a wonderful turnout.

Let us start with some statistics and some news. This morning, we have 418 prisoners in our jail, Attorney General. They were all kids at one time, and now we have to lock them up behind bars.

We are certainly in a very difficult and different time, are we not, particularly for those of us who are a little more traditional. I say this to our teenage friends here in the gallery, these are some different times. Let us talk about it this morning.

I want to thank the Senator for holding this hearing on juvenile justice and juveniles. It is such an important issue to us. The Senator holds very important roles. He is a member of the Senate Judiciary Committee and the chairman of the Juvenile Justice Subcommittee.

Senator I think you are probably going to talk a little bit about the Crime Bill, I would expect, this morning that was recently passed. It includes many dollars for new programs. I want you to know Senator Kohl fought hard to include gun-free school zones and youth handgun safety in the bill. This gentleman has worked very hard for us. I think this is going to be a very important and productive meeting.

We, in Outagamie County, are undertaking a major study right now. In a matter of 3 weeks, we will be opening our 26-bed juvenile facility. We had six, and it is not going to be enough. We are going to have a regional facility. I think it is very important.

The juvenile problem is not Washington's problem, it is not Appleton's problem, Wisconsin's problem. It is everybody's problem, and we want to do something about it. That is why these meetings are ever so critical.

We have a very talented panel this morning that will be speaking with us and to us. I would like to introduce them.

First of all, Attorney General Jim Doyle, State of Wisconsin; Circuit Judge Joseph Troy; Outagamie County Chief Juvenile Intake worker Mike Robinson; Menasha school/police liaison officer, Ginger Tralongo; and Kathy Kapalin, who is Executive Director of the Boys and Girls Club of Green Bay. Thank you all for being here.

I will step aside right now and turn it over to Senator Kohl. Again I want to thank him. He has been a leader and a good friend of the county, the government, and myself. Senator?

#### **OPENING STATEMENT OF HON. HERBERT KOHL, A U.S. SENATOR FROM THE STATE OF WISCONSIN**

Senator KOHL. Thank you very much, Mr. Van De Hey. It is very nice to be here today, and I would like to welcome you all here to this hearing this morning.

By now, we are all aware of the very dramatic statistics that bring us here today. In Wisconsin, juvenile arrests for murder have shot up more than eight-fold, that is 800 percent since 1988, and in that same period, juvenile weapons arrests have almost doubled. As these charts indicate, the total juvenile arrests have also increased, although fortunately not as significantly in Appleton and Outagamie County.

It is no wonder that many Wisconsin residents see juvenile crime as one of the most serious problems, if not the most serious problem, that face us today.

So this morning we will look forward to discussing several crucial issues. First, what is happening in Wisconsin to cause juvenile crime to skyrocket? Simply put: Why are kids more violent today?

Second, how do we make sure that the juvenile crime in Appleton does not rise to the level that it has in Milwaukee, and that juvenile crime in Milwaukee does not reach the level to what it is, for example, in Washington, DC.

At the outset, we must clearly do better at a variety of things. Most importantly, the violent juvenile crime that concerns us the most is typically committed by a relatively small group of hard core offenders. We need to treat these people differently than most other kids who have gone astray because society must be protected from dangerous criminals regardless of their age. Hard core, violent juveniles should not be shuffled through a revolving door juvenile justice system—in one day and out on the streets only months later.

We must also face the fact that State law requires the release of many juvenile offenders, so the question then becomes what can we do to help ensure that, when released, these young people do not return to a life of crime? Sad to say, this is now not the norm, half the juveniles under the age of 16 released from Wisconsin facilities end up being reincarcerated within 2 years of their release.

If we are to be both tough and smart, we also need to recognize that violent kids do not sprout out of the ground like weeds. They learn violence over time, and they generally start out in the Juvenile Justice System having committed lesser offenses. Indeed, the majority of kids in our Juvenile Justice System are not violent offenders. Our challenge is to turn them around before they become hard core, and, at least as importantly, to reach out to kids at an

even younger age before they even think about crime and delinquency.

The Crime Bill that we have just completed in Washington is not a panacea, but it will help Wisconsin and Appleton. It will put more cops on the beat, provide more money for secure detention facilities and boot camps targeted at young offenders, and fund innovative prevention programs aimed at keeping kids off the streets. Most importantly, it places the focus of our anticrime efforts where it ought to be, at the State and at the local level. We estimate that the Crime Bill will result in Wisconsin receiving at least 200 million more dollars in Federal anticrime monies, so based on population, the Fox River Valley could receive about \$20 million or 10 percent of this amount.

Of course, the most effective way to prevent juvenile crime is to instill discipline and responsibility through the family, but because 87 percent of juveniles incarcerated in Wisconsin do not come from two-parent households, it falls to the rest of us in the community to pick up the slack, to invest in our kids today so that our tomorrows will be safer.

We also need to recognize that, like people, communities have different characteristics, needs and desires. The solutions that are appropriate for one area, like Appleton, may not work in another, but it is incumbent upon all of us to continue to forge a working partnership that responds to one of our most pressing problems—juvenile crime.

If we commit ourselves to tackling this problem on all fronts, from all perspectives, then we are likely to succeed. Success may not come overnight, but it will come as long as people like all of us here today continue to talk to one another, tell each other what works, and dedicate ourselves to working together, and we should start working together by bringing up our panel of witnesses at this time.

We are pleased to have with us today a group of individuals who have dedicated themselves to tackling the crime problem, particularly the problems of our kids. Their collective experience is impressive, and we look forward to hearing what they have to say.

The Hon. Joseph Troy is a Juvenile court judge for the Third Circuit Branch. Judge Troy has served on the bench since 1987 and has focused on juvenile court administration and crime prevention. We want to thank him for taking time out of a very busy day to participate in this forum.

Mike Robinson is the chief officer for the Outagamie County Juvenile Court Intake Office in Appleton. Mr. Robinson has served as the chief of Juvenile Intake since 1979, and he will be able to give us a firsthand look at the juvenile justice issues that face us today. We also thank Mr. Robinson for appearing here today.

Officer Ginger Tralongo is a police/school liaison officer for the City of Menasha Police Department. She has served as Menasha's police/school liaison officer for the last 2 years, but she brings with her today also 12 years of experience as a front line law enforcement officer, and we look forward to hearing your testimony.

Kathy Kapalin is executive director of the Green Bay Boys and Girls Clubs. Ms. Kapalin has served as executive director since 1990. At a time when our children are confronted with an excess

of negative influences, the Boys and Girls Clubs give them something to say yes to.

Jim Doyle is the Attorney General of the State of Wisconsin. He is a leader in the field of juvenile justice. He is involved in redrafting the Wisconsin Juvenile Justice Code with an eye towards taking into account both the best interests of the child and the safety of our communities, so we wish to thank all of our witnesses for being here with us today, and we ask that you keep your opening remarks to 5 minutes so that we can get on to a discussion.

Mr. Attorney General.

**PANEL CONSISTING OF JAMES E. DOYLE, ATTORNEY GENERAL, STATE OF WISCONSIN, MADISON, WI; THE HON. JOSEPH TROY, JUVENILE COURT JUDGE FOR THE THIRD CIRCUIT BRANCH; MICHAEL ROBINSON, CHIEF OFFICER, OUTAGAMIE COUNTY JUVENILE COURT INTAKE OFFICE, APPLETON, WI; OFFICER GINGER TRALONGO, POLICE/SCHOOL LIAISON OFFICER, CITY OF MENASHA POLICE DEPARTMENT; AND KATHY KAPALIN, EXECUTIVE DIRECTOR, GREEN BAY BOYS AND GIRLS CLUBS, GREEN BAY, WI**

#### **STATEMENT OF JAMES E. DOYLE**

Mr. DOYLE. Well, thank you, Senator Kohl, Mr. Van De Hey, and members of Appleton and Outagamie County communities. I want to say, Senator, I appreciate your inviting me here today, and I appreciate the time that you have taken—the fact that you have taken the time here and in other places of the State to hear more about the issues of juveniles and juvenile crime. You have been a leader in the U.S. Senate in dealing with these issues and, in my judgment, in Wisconsin, there is no bigger challenge facing law enforcement in this State than the needs and what we do with the increase in juvenile offenders. I am also pleased to be here in Outagamie County and with this distinguished panel. This is a county and the communities throughout the Fox Valley that have shown in many ways that they are committed both to good strong law enforcement and also to crime prevention measures, and I know you are going to hear some very good comments today.

As you know, Wisconsin remains one of the safest places to live in the country. In fact, we saw a 5.8 percent decrease in overall crime in the State in 1993. Even the total number of violent crimes dropped by 3.7 percent last year. But like much of the country, though our overall crime rate is low and decreasing, the statistics on juvenile crime paint a very disturbing picture. Wisconsin law enforcement agencies arrested 118 juveniles for murder in 1993, and during the last 20 years, arrests of juveniles in Wisconsin for violent offenses have increased by nearly 145 percent.

Juvenile crime is not a big city problem. Law enforcement officials in the Fox Valley and throughout northeastern Wisconsin are facing the same problem. Juvenile crime is up and the resources to tackle it are woefully inadequate.

The reasons for the surge in juvenile crime are complex and include, in my judgment, a decline in family and societal structures, and increases in poverty, and child abuse and neglect. Unfortu-

nately, two other deadly ingredients have been added to this mix in recent years—drugs and guns.

Juvenile crime is more violent than ever before. Our schools have been shaken by countless examples of handgun violence. Arguments that used to be settled with fist fights are now being fought out on playgrounds with handguns.

Seventy percent of all firearm deaths in Wisconsin are from handguns. Admissions to Children's Hospital in Milwaukee for gunshot wounds have increased by over 350 percent in just the last 3 years.

Many in Wisconsin still believe that guns at school are only a problem in Milwaukee. Unfortunately, they are wrong. Soon after the opening of school last year, police officers here in Appleton confiscated a .9 millimeter handgun, like this one, from four boys who were passing it around in school, in a junior high school. This was a disarmed gun, I might say.

And the police in nearby Kimberly seized a sawed-off shotgun on the grounds of the high school. The boy with the gun said he brought it to school because a gang fight was going to take place. Similar incidents have occurred in other small towns and rural areas in our State. Kids are packing too much firepower.

I am particularly troubled by the availability of short-barreled handguns, those with a barrel length of less than 4 inches. They are small; they are cheap; they are easy to conceal, and they are three times more likely to be used in the commission of a crime than any other type of firearm.

The Raven, like this one, even with the little pink handle on it, is manufactured for as little as \$13. They are sold for retail prices of under \$60. With baby-sitting money, children can buy these dangerous weapons on the streets of our communities.

And as we look to solutions for dealing with juvenile crime, we need to consider several lines of attack.

First, we need to put consequences back into the Juvenile Justice System. I am working with a State committee, which is trying to revise Wisconsin's Juvenile Code. Sheriff Brad Gehring of Outagamie County is assisting on a council that I have appointed to try to accomplish that. We hope to have recommendations to the State legislature by next January. One of our goals must be to bring effective punishment for young people who break the law.

Second, we need to give local communities the resources to prevent crime and discipline young offenders. Right now young offenders escape punishment and treatment because local counties do not have the money to devote to juvenile justice programs.

We have many excellent juvenile court officers and juvenile judges in this State. Judge Troy is a good example. They often express to me their frustration in not having practical alternatives to give to young offenders who appear before them in their court, and cities and counties cannot face this fight alone. The State needs to commit more resources to this effort and, hopefully, the new Federal Crime Bill will help us to offer the consequences we need to provide.

I want to express my appreciation to you, Senator Kohl, for your work with respect to the Federal Crime Bill, particularly for your work in understanding the need to do things in the area of juvenile

justice. I hope that this bill will provide us more resources for juvenile detention facilities, for boot camps, for other kinds of practical alternatives for judges, as well as for youth groups and other kinds of preventive measures that have to be part of the overall picture and finally, we need to work together to establish reasonable regulations to prevent handgun violence by our children.

Thank you again for your invitation for me to be here today. I appreciate your time and attention and, on behalf of law enforcement throughout the State, we want to thank you again for your help in seeing that the Crime Bill was passed. It will not solve all of the problems, it will not solve the problem of juvenile crime completely, but it will help us combat the problems in many important ways. Thank you.

Senator KOHL. Thank you very much, Mr. Doyle, for that fine statement.

Judge Troy.

#### STATEMENT OF JUDGE JOSEPH TROY

Judge TROY. Senator, thank you very much for inviting me and thank you for being here. I appreciate the opportunity, the rare one that it is, to address someone in your position on some of the current concerns and experiences that we have here locally, and I also appreciate the opportunity to have drawn together this group of people that you have here today, the young people and the more experienced people that are here, so thank you.

I know many of the people in this room who are working with young people, and I know that they are dedicated, and that they are very concerned, and that their concerns are increasing because of the very problems that you graphically and dramatically have pointed out today.

Some of the thoughts that I have that I wanted to share with you and the other people here today is that for about \$8,000, we can pay room, board and tuition for a young person to attend one of our fine State universities. For about \$40,000, we can send a young person to one of our State detention facilities and, as a public servant and as a taxpayer, it frustrates me greatly that we cannot direct more of our resources to programs and efforts that uplift and enable, rather than the necessity of having to spend so much in detection and punishment, which we surely do. Unfortunately, the proliferation of violence, of weapons, of drugs and gangs makes it necessary that we now turn our attention, and that our options are so limited, and that our resources are so sapped with the violence, and the gangs, and the drugs that are becoming a part of every community in this State.

Our best hope, as you have properly and appropriately pointed out, is to aggressively intervene in the lives of our troubled youth before we have to send them away. We need to interrupt the downward spiral that occurs because of a poor educational start, a lack of direction and self-esteem, and an increasing involvement in a criminal lifestyle. We know that the success rate, once we have to send them away, is very limited; that if we can somehow reach these kids in the community and not spend exorbitant amounts of money, and time, and resources necessary to house them out of the community, we have a much better chance of helping them become

a productive person. That is not to say that there is not the need, and there surely is, to eliminate and separate from the community those most violent and most chronic offenders, but there is a group of other kids who simply have no direction, they have no structure in their lives, and they will go to the point of least resistance, which too often is drugs, crimes and gangs.

There is strong empirical support that the earlier in the cycle that we invest our efforts and our resources, the greater our chances of success. That is why the Attorney General is turning his attention to juvenile crime, and why you and your committee exist. Addressing the problem of juvenile crime is so critical at this point in our history. Crime and violence concern almost every American. Our response, however, cannot be just one dimensional. There are priorities, and safety in homes, in our streets, and in our communities and schools surely is the first priority. The measures that we have taken at the State level and now at the Federal level to remove guns wherever possible from kids, from schools, from zones where children are likely to be is a necessary step to be taken, and the Federal government has a role to play, and that has been reflected in the kind of assistance that, I believe, is part of the Crime Bill that has just been passed.

But in addition to public safety, we cannot ignore prevention. An effective juvenile system must have some of the same attributes as an effective parent. There must be clear rules and boundaries. These must be enforced promptly and fairly. There must be real consequences and not hollow threats. We have to be also ready and willing to show these young offenders a different way and a different direction, and that means having the resources to work directly with the kids.

With the adult population, under the Attorney General's guidance, we have increased the number of probation agents directly. We have instituted an Intensive Sanctions Program on the adult level that is on the mark. It means that we have accountability for these kids. With juveniles, the local resources are so stretched that we end up with caseloads, when we put a kid on supervision, that are simply unmanageable. No matter how dedicated the worker may be, if they have 30 to 45 kids that they are accountable for, they cannot do the job that needs to be done. They need some help.

We in Outagamie County also recognize that government cannot do it all; that the community itself must be involved in a wide variety of ways. As one example of that involvement, there are many in this room and outside of this room that are now working on a juvenile diversion program that we hope will help some kid escape the pattern of crime that they are otherwise headed for. This is a program, which is a cooperative effort of the local bar association and local attorneys, the Boy Scout Explorer Program and Outagamie County, and it will match a local attorney with a young offender in a 6-month program, which emphasizes restitution and reconciliation directly with the victims. It emphasizes community service, and it will offer youth an adult who cares, who will be there to whom they will be accountable. It offers a program of rehabilitation and education through voluntary efforts of professionals in the community, and we hope it offers a chance to break the cycle of crime.

The Federal government through the OJJDP and through, as I understand, some of the block funds that are available in the recently passed Crime Bill, can support this type of grass roots volunteer-driven effort.

We need it to be done in the form of broad goals and standards and not overly restrictive and bureaucratically driven. We do not need restrictive requirements that serve to frustrate, rather than invigorate, local action.

Senator Kohl, we appreciate the leadership that you have shown in this area. I am sure that everybody here agrees that young offenders must know that the community will not tolerate violence, or intimidation, or the reckless use of weapons, and I urge you and everybody here to also remember that we have a responsibility that goes beyond that as well. As pointed out by our executive, Mr. Van De Hey, today's juvenile offender is simply tomorrow's felon, and we must do something to change the direction of their lives and that, quite frankly, is even harder work than the very difficult job of detecting and punishing those that commit crimes now.

I thank you for your interest and everybody here. If you are looking for an opportunity to help, we have some programs that need your assistance. Thank you.

[The prepared statement of Judge Joseph Troy follows:]

#### PREPARED STATEMENT OF JUDGE JOSEPH TROY

Judge Troy has been a Circuit Judge for Outagamie County since his election in 1987. When elected, he became the youngest Circuit Judge in the State of Wisconsin. Judge Troy handles all types of criminal and civil cases, and has recently assumed administration of all juvenile cases for the County. In that capacity, Judge Troy has founded the Juvenile Justice Board for Outagamie County which is a panel of citizens working to address the many problems facing the youth in our community.

Judge Troy is a honor graduate of Lawrence University and also graduated with honors from the University of Wisconsin law School. Before being elected Circuit Judge, he was a partner in an Appleton law firm, specializing in civil and criminal trial law.

Judge Troy also is an Instructor in the Fox Valley Technical College Police Science Department. He teaches courses in criminal law, evidence law, and in-service programs to police officers, lawyers and other judges.

In addition to his responsibilities as a Judge and Instructor, Judge Troy serves the community as a member of the United Way Board of Directors, the Domestic Abuse Task Force, the Sexual Harassment Task Force of Lawrence University, he is a lector in his church; and, regularly visits the Green Bay Reformatory to work with inmates involved in a prison Fellowship program.

Judge Troy and his wife, Kristine, have four young daughters.

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For about \$8,000, we can pay room, board, and tuition for a young person to attend one of our fine State Universities, where he or she can better himself or herself, and better serve our community.

For about \$25,000, we can warehouse a young person in one of our State Prisons, where he or she will likely lose all self-respect and pose a greater danger to the community upon release.

As a public servant and taxpayer, it frustrates me greatly that we can't redirect more of our resources in programs that uplift and enable, rather than in arrest and punishment. Unfortunately, the proliferation of violence, drugs, and gangs demands our attention, limits our options, and saps our resources.

Our best hope, therefore, is to aggressively intervene in the lives of our troubled youth. We need to interrupt the downward spiral of a poor educational start, lack of direction and self-esteem, and increased involvement in a criminal life-style.

There is strong, empirical support, that the earlier in the cycle we invest our efforts and resources, the greater our chances of success.

Crime and violence are concerns shared by most Americans. Our response cannot be one dimensional—there are priorities. The first priority is public safety, safety in our streets, our schools, and our homes.

- This concern has rightly increased our awareness of the need for strict and clear laws, increased investment in law enforcement and corrections.
- The Federal Government has a role to play, and that has been reflected in the kind of assistance we've received in establishing our Secure Detention Facility.

After public safety, we must turn our concern to prevention. An effective juvenile system must have many of the same attributes as an effective parent:

- There must be clear rules and boundaries.
- They must be enforced promptly and fairly.
- Real consequences—not hollow threats—have to be in place.
- We have to be ready and willing to show the young offender a way out of the criminal pattern that led them to court.

We, in Outagamie County, are embarking in a Juvenile Diversion Program that we hope will be that vehicle of escape from crime for many young people. This program is a cooperative effort of the local Bar Association and its members, the Boy Scout Explorer Program and the County, that will match a local lawyer with a young offender in a six-month program which will emphasize restitution to victims, community service, and will offer the youth:

- (1) An adult who cares;
- (2) A program of rehabilitation and education; and,
- (3) A chance to break the cycle of crime.

The Federal Government, primarily through OJJDP, can support this type of grass roots, volunteer driven effort, by establishing broad goals and standards, and allowing local communities to innovatively handle the problem in their community. What we do not need is restrictive, overly bureaucratic requirements, that serve to frustrate, rather than invigorate, local action.

Senator KOHL. Thank you, Judge Troy.  
Mr. Robinson.

#### STATEMENT OF MICHAEL ROBINSON

Mr. ROBINSON. Thank you for this opportunity to address the committee. The field of juvenile justice has been my home for the past 23 years. Over that time, I have seen much, some of which encourages me to continue in this profession, and some of which I would never want to see again.

Over the past decade, in Wisconsin we have seen the total number of juvenile arrests increase by 34.8 percent, from 83,403 in 1983, to over 112,500 arrests this past year. In contrast, adult arrests during the same period of time rose 54.9 percent from 177,409 in 1983 to over 275,000 this last year. The rates of arrest for juveniles per 100,000 population exceeded 8,000 arrests last year in contrast to 6,000 arrests in 1983. The adult rate during that same period of time went from 5,000 arrests to 7,000 arrests. Only in 1989 did the adult arrest rate per 100,000 population exceed the juvenile arrest rate.

Adding to these statistics is the fact that over the last 10 years the index offense arrest rate for juveniles increased 27 percent. Approximately 90 percent of the index offense arrests are for property crimes.

And finally, while the arrests for property offenses increased by 23 percent during this 10-year period, the number of juvenile arrests made for violent offenses increased by 51 percent.

These statistics are driven by Milwaukee County numbers, but in the passenger seat are other smaller counties who have seen

alarming increases. In Outagamie County, we have seen the numbers of total juvenile arrests increase 16.4 percent over the past 5 years. Over the past 10 years, my office has received a 100 plus percent increase in the number of referrals received for juvenile crimes, truancy and status offenses.

What is driving these numbers? What causes juveniles to commit crimes in increasing rates? First, I would like to note that juvenile crime is nothing new. It existed before Christ and will exist into our future. Our task is to learn from it and make changes in the very fabric of our society so the rates do not increase. You and I cannot legislate morality, values or appropriate behavior. We can create programs that will guide families and parents to begin again to raise our children. Who are raising our children?

Families used to raise our children. Mothers and fathers raised them, and they were raised in close proximity to their relatives and extended families. They developed a sense of who they were and where they belonged. With the coming of the Industrial Revolution, fathers went off to work in factories, and with the coming of World War II, mothers joined them. Who, I ask, was left to raise the children?

We live today in a society that defines families by a number of definitions, and increasingly the nuclear family and extended family is becoming a thing of the past. The values and stories passed down from generation to generation are no longer being recorded in the minds of our youth, as values are increasingly taught by the television, schools and secondary institutions. It is impossible to become emotionally bonded with a television or a school, yet where else is there to turn?

Our youth live in an increasingly more fragmented world with little identification with a family unit. We human beings need to belong somewhere, to something and too often that something is a gang or group outside of the family. I have seen children with such a poor sense of who they are and where they belong, that they do not know who to call father or who to call their mother. I have seen children so disillusioned by the cycle of violence that they too turn to violence as a way of life and as a way to solve their problems. I have seen children who do not have a conscience, who do not care or bother to care, and I have seen this go on long enough that I urge you to support programs that strengthen families by intervening in the cycles of emotional poverty, violence and increased use of secondary institutions to raise our children.

Where there is violence in the schools, teach mediation skills and the resolution of problems through nonviolent means. These curriculum work. Zero tolerance for violence of any sort in our families and our schools works. Love works best of all, and I have seen success with mentor programs, big brother programs, in family treatment programs, PALS programs and volunteer programs matching caring individuals with youth.

Increased use of prisons, jails and lockup only temporarily puts a band-aid on society's problems and do not hold the answer to youth crime. The perception that something might happen to them is not within the ability of most youth who commit crimes. They do not govern their behavior by what is going to happen to them but rather on the basis of the values they learned, and sadly, for

many, these values are being learned on the street. For those children that do learn to behave in accordance with what they know will happen to them, we do not need juvenile justice programs. Tell parents to love their children by spending time with them, and please support programs that do that. Strengthen our families. Whatever you do, pay attention to our families.

That, committee members, in my opinion is where the answer lies. I have seen families turn around their children, and I have seen families destroy their children, and the children, in turn, destroy the families. Most parents and children I see intend the best for their families and for their children, but so much of the time lack a feeling that they can make a difference and lack power to make changes in their own lives or in the lives of their children. While schools can teach values, families can instill them. Support them in their efforts by increasing funding to family support programs, meaningful early intervention programs that identify high risk youth early, and support them and their families. Promote laws that prohibit violence against any class of citizen through verbal harassment, sexual abuse, physical abuse, physical neglect and secondly, support those who behave in such ways to want to make those changes by holding them accountable for their actions.

I wish you well in your efforts and appreciate your interest. Thank you very much.

Senator KOHL. Thank you for your fine statement, Mr. Robinson. Officer Tralongo.

#### STATEMENT OF GINGER TRALONGO

Ms. TRALONGO. Thank you, Senator Kohl. Thank you for inviting me to present information at this hearing on juvenile justice. I am here not only for myself, but I am also here for other law enforcement officers and police/school liaison officers in the Fox Valley. As such, I have an office in Menasha's Middle School, which is located in Winnebago County, and I have daily contact with the students. My duties include investigating crimes against children, making referrals to other agencies, and providing a safe, comfortable setting to counsel with students or their parents.

Speaking to your question regarding why juvenile crime has increased during the past decade and what steps need to be taken to reverse that trend, let me start by suggesting that the entire Wisconsin Children's Code needs to be revised, providing a more immediate consequence for a juvenile's delinquent acts.

Currently, a juvenile case averages 4 months from the time the police file their report until the time the child receives some type of sanction. We need to allow our judges more options to impose punitive sanctions, which will have an immediate, uncomfortable impact on the juvenile law violator. The 1970's and the 1980's approach to deal with juveniles is outdated and has proven ineffective. Giving the juvenile delinquent a hot cup of chicken soup and a hug simply does not work.

They must be held accountable for their actions rather than coddle them as they are now under our current system. For example, one juvenile who our department is still dealing with has had 81 documented contacts with us and has been arrested 26 times. That is his file right here. He has spent only 2 days in secure detention

and is repeatedly returned to his home after promising either Juvenile Intake or the Department of Social Services that he will behave.

Ineffective and outdated best describes our current Juvenile Justice System. Juveniles are committing more serious, more violent crimes, yet the punishment remains to send them home to an environment that has contributed to the antisocial behavior in the first place.

To give you an example, we had a juvenile that was placed outside of our county at a treatment facility. He stole a vehicle. On his way back to Menasha with the stolen vehicle, which is a felony, he committed two other felonies, burglaries. When he was taken into custody, we contacted Juvenile Intake. This child needed to be placed in secure detention. However, they were reluctant to do so because they indicated that the criteria was not there to put him in secure detention. Their alternative was to put him in shelter care or place him back with the mother, who was not available anyway.

Certainly our current Children's Code does address the needs of some of our juvenile population. However, changes are required when referring to violent crimes, crimes involving gangs, and crimes involving dangerous weapons.

I have just a few examples here of some weapons that have been taken off of students and juveniles through the Fox Valley area. She has a fear of them. (Referring to Ms. Kapalin, seated to the right of Ms. Tralongo.)

I do not have any confiscated guns, but there is a very good example of what we have taken off the kids. They are homemade; they are taken off kids in school, pretty dangerous. These are sling shots, knives. There are many more. This is just a very small display here. Hopefully, your subcommittee, by taking an interest in juvenile crime and holding these hearings, will stimulate nationwide interest as Wisconsin struggles to work toward changes in our Children's Code. Thank you very much.

Senator KOHL. And thank you for your statement.

Ms. Kapalin.

#### STATEMENT OF KATHY KAPALIN

Ms. KAPALIN. I am honored to be here today to speak and to advocate for early prevention. Last week, Senator Orrin Hatch used the term "gravy sucking hog" to refer to the passage of the \$30.2 billion Crime Bill. He and other Republicans were attacking the more than \$6 billion in the Crime Bill that was dedicated to prevention, and they also used the term "pork." When it comes to dealing with human system breakdowns, which is what we are here to talk about today, prevention is becoming harder and harder to sell. For some unexplained reason, we seem to respond more readily with prevention programs for natural life systems than we do to those for human life systems.

I am going to take your time to come up with a very simple analogy, and that is the quality of wine. If you look at the wine grape, it is strongly influenced by the conditions in which it grows, the type of soil, the ground elevation, the amount of sun exposure, the nutrients used in nurturing it. Changes in any one of these envi-

ronmental factors affect both the type and the quality of the grape grown, and eventually, the quality of wine. If a wine grower becomes dissatisfied with the quality, he researches the environment to discover what factors are inadequate for healthy growth. He is aware that although one solution may be to remove all of the vines and place them in a new nurturing environment, this is normally beyond feasibility and his control. Therefore, he spends his time and energy influencing those elements that he can control to counterbalance the negative influences in the grape's growth and development. This is early prevention.

We also are familiar with this in many of the U.S. businesses today that practice total quality management. If a business normally experiences—I should not say normally—hopefully not normally—a high return of inferior product, they do not allocate ever increasing dollars to returned product and taking the product back. What they do concentrate on is increased dollars in research and development to follow the product to the very earliest development stage, the conceptual stage, which for us would be prebirth, all the way to the finished product and delivery, which in our juvenile discussion today would be an adult of 18 years. This again is prevention.

We know today in Wisconsin that our juvenile crime statistics show that we are growing a less than desirable crop. Family togetherness has become a rarity, as we have heard here today earlier. Where extended families once were the norm, single parent and divorced families have become normal. Children are left alone to feed themselves, to entertain themselves and most importantly, to write their own value systems. A recent Carnegie study, "A Matter of Time: Risk and Opportunity in the Non-School Hours," discovered that today's teenagers spend 40 percent of their waking hours in unsupervised, unstructured and unproductive time.

Also the number of risk factors in our children's lives have increased. Studies have also proven that a child's opportunity for success is inversely correlated to the total number of risk factors in his or her life. Let us just look at one risk factor, the poverty level, to see how it impacts a child's life. Today in the United States, we are experiencing the widest rich/poor gap since the Census Bureau began keeping track in the 1940's. Today the top fifth families in the United States account for 44.6 percent of income, where the bottom fifth families account for less than 4.4 percent. Lower income kids do worse in school and drop out more than three times as often as the top half kids. The widening chasm has made it more difficult for low-income children to get to college. Today 76 percent of kids from the top quarter of income earn Bachelor's Degrees, where less than 4 percent of children from the lower quarter earn Bachelor's Degrees.

University of Illinois sociologist, Jonathan Crane states "Lower class kids lose a sense of self worth, which leads many to rebel and lose their initiative." Children whose families are losing ground while the affluent gain often do not see the point of school. Crane discovered in a 1991 study that poor teens drop out a third less often if they live where enough adults, about 13 percent, are professionals. Unfortunately, the majority of these kids and the major-

ity of the kids at the Boys and Girls Club of Green Bay are moving constantly, changing schools, losing friends and losing hope.

In Green Bay, we are the surrogate families for many of our Club's kids. Children need to understand that positive behavior leads to positive consequences. Programs such as the Boys and Girls Club are prevention based and are designed to counter-balance the negative risk factors in our children's lives. A full range of value building programs is offered, motivating children to recapture a sense of self worth and to not lose their sense of excitement and initiative for the future.

One of the most important aspects of prevention based programs is relationship. Ask any adult who successfully escaped a disadvantaged background or any child at a Boys and Girls Club today, and I will guarantee you at least 80 percent will first name an individual as the most significant factor in their success. At the Boys and Girls Club, the staff welcome children, they listen to the children, they teach them values, and they give them respect. Can we prove the success of these prevention programs? How do we measure outcomes? That is not an easy task. We have numerous success stories, but for most of our children, their journeys are far from complete. But ask yourselves, what are the measured outcomes of detention? What is that success rate? And we heard earlier today that it is not real favorable. We know today that it costs at the Boys and Girls Club of Green Bay 72 cents a day to deliver prevention programs to our club children versus \$108 a day to send a child to detention facilities such as Lincoln Hills Juvenile Detention Center. We can serve 150 children daily with prevention programs, value building programs versus housing one child in a detention facility.

Certainly I am not naive enough to believe that prevention can be our sole answer to today's rising juvenile issues. Safety must be considered, especially when we are in crisis levels, but we cannot afford to sacrifice prevention programs.

What are some of the solutions, and what can we do better? New educational initiatives to improve school achievement for all students. At the Boys and Girls Club of Green Bay, we have an emphasis on education. We believe it is the primary key for these children to escape the cycle of hopelessness.

Our Department of Public Instruction has come out with a new urban initiative for children at risk. We need to support these programs. Mentoring programs, safe places for recreational programs. A serious commitment must be made to prevention programs that afford all our children equal opportunities to live and to learn.

Thank you very much for your support and commitment to these kids.

Senator KOHL. Thank you for being here.

[The prepared statement of Kathy Kapalin follows:]

#### PREPARED STATEMENT OF KATHY KAPALIN

Kathy Kapalin is the Executive director of the Boys & Girls Club of Green Bay. She has held this position for the past four years. Kathy has an MBA, and prior to the Boys & Girls Club, worked for Schreiber Foods as a Marketing Sales Manager.

## BOYS &amp; GIRLS CLUB OF GREEN BAY PURPOSE AND PROGRAM ACTIVITIES

The Boys & Girls Club of Green Bay has been a successful community youth organization for twenty years. Over this time, we have served over 12,000 youth as individual members. We have also touched the lives of an additional more than 50,000 youth through special programs not requiring membership. Our membership has more than doubled in the past year; we are currently serving 1,940 youth at our facilities. The majority of the youth we serve can be described as "at risk", that is 50 percent come from single-parent homes, 60 percent come from incomes less than \$20,000. The club operates two facilities in Green Bay.

The programs that are offered at the Boys & Girls Clubs are developed according to the youth Development Strategy. The strategy is based on a study by a group of social researchers from the University of Colorado. The researchers examined what the common elements were in children who did not become involved in negative behavior. They found that when youth were presented with opportunities to develop the four senses listed below, their self-esteem was enhanced and the behavior they exhibited was positive. The four elements of the Youth Development Strategy are:

- A sense of competence—the feeling there is something they can do and do well.
- A sense of usefulness—the opportunity to do something of value for other people.
- A sense of belonging—a setting where the individual knows he or she has a place, where he or she knows they "fit" and are accepted.
- A sense of power or influence—a chance to be heard and to influence decisions.

Boys & Girls Club professionals also follow six core service area guidelines when developing programs. They are:

- (1) Personal adjustment services,
- (2) Citizenship and leadership development,
- (3) Cultural enrichment,
- (4) Health & physical education,
- (5) Social recreation, and
- (6) Outdoor & environmental education.

A "gravy-sucking hog" was the description used by Senator Orrin Hatch, R-Utah, last week concerning the federal government and the recent passage of the \$30.2 billion crime bill. Republicans attacked more than \$6 billion in crime prevention as pork. Traditionally pork has been public works, but the Republicans created a new category, social pork, and are defining it as synonymous with social programs.

When it comes to dealing with human system breakdowns, prevention is becoming a harder and harder sell as compared to deterrence. The new crime bill calls for only \$6.9 billion in prison growth, and \$3.6 billion in court support.

For some unexplained reason, we seem to respond more readily with prevention programs for natural life systems than we do to those for human life systems. Let me illustrate with a simple analogy, the quality of wine. The wine grape is strongly influenced by the type of soil in which it is planted (the home), the ground elevation (the neighborhood), the amount of sun exposure (income level), the type of nutrients used (nurturing vs. abusive), etc. Changes in any one of these environmental factors affect both the type and quality of grape grown and eventually the quality of wine produced. If a wine grower is dissatisfied with the quality of grape produced, he researches the present environment to discover what factors are inadequate for healthy growth. He is aware that although the best solution may be to remove all of the vines and plant them in a new, nurturing environment, this is normally beyond feasibility or his control. Therefore, the wine grower spends time and energy influencing those elements he can control to counterbalance any negative influences in the grapes' growth and development. This is PREVENTION!

This is not only in our simple, natural life systems but is also practiced today in many U.S. businesses that have adopted TQM, total quality management. If a business experiences a high return of inferior product, they do not normally allocate ever-increasing dollars to handling returned products. What they do is concentrate on the early development of the product from the very initial stages of concept (pre-birth) to finished quality product status (adult of 18 years). This is PREVENTION!

We know by the rising juvenile crime statistics that we are growing a less than desirable crop. Wisconsin once was a mostly rural state, with families that shared responsibilities and a common value system. Economic pressures today have brought more and more families to the city, and family togetherness has become a

rarity. Where extended families once were the norm, single parent and divorced families have become normal. Children are left alone to feed themselves, entertain themselves and to write their own value systems. According to the recent Carnegie Study, *A Matter of Time: Risk and Opportunity in the Non-School Hours*, today's teens spend 40 percent of their waking hours in unsupervised, unstructured, and unproductive time.

Also, the number of risk factors in many of today's children's lives has increased. Studies have proven that a child's opportunity for success is inversely correlated to the total number of risk factors in his/her life. Let's look at just one risk factor, income level, to understand how significantly it impacts a child's life.

The top-fifth families in the U.S. now account for 44.6 percent of income vs. 4.4 percent for the bottom fifth. This is the widest rich-poor gap since the Census bureau began keeping track in 1947. Lower income kids do worse in school and drop out more than three times as often as top-half kids. The widening chasm has made it more difficult for low-income children to get to college; 76 percent of kids from the top quarter earn bachelor's degrees vs. less than 4 percent from the bottom quarter. University of Illinois sociologist, Jonathan Crane, states, "Lower-class kids lose a sense of self-worth, which leads many to rebel or lose their initiative." Children whose families are losing ground while the affluent gain often do not see the point of school. In a 1991 study, Crane discovered that poor teens drop out a third less often if they live where enough adults—about 13 percent—are professionals. Unfortunately, the majority of these kids are moving constantly, changing schools, losing friends, and losing hope.

Programs, such as the Boys & Girls Club, are PREVENTION based and are designed to counterbalance the negative risk factors in our children's lives. Programs are designed to instill a sense of competence, a sense of influence, a sense of usefulness, and most importantly, a sense of belonging. At the Green Bay Club, an emphasis on education is paramount since this is the primary key to escaping the cycle of hopelessness for many of these kids. Programs also encompass citizenship & leadership, cultural enrichment, environmental education, etc. A full-range of value building programs is offered, motivating children to recapture a sense of self-worth and to *not* lose their sense of excitement and initiative for the future.

What do we consider the most important aspect of prevention-based programs? It's quite simple—relationship. Ask any adult who successfully escaped a disadvantaged background or any child in a Boys & Girls Club today and at least 80 percent will first name an individual as the most significant factor in their success. At the Boys & Girls Club, staff WELCOME children, staff LISTEN to children, staff TEACH children, staff RESPECT children. Our members learn anger management in a program called "Don't Pop Your Cork". Do they participate? Yes! They also participate in goal-setting programs, job search, computer education, service clubs, cooking classes, and on and on.

Can we prove the success of these prevention programs? How do we measure outcomes? Not an easy task! We have numerous success stories, but for all our children, their journeys are far from completion. But ask yourself, what are the measured outcomes of detention?—what is that success rate? What we do know is that often juvenile detention facilities serve as a network for kids and the recidivism rate is substantial. We also know that presently it costs \$.72/day to deliver prevention programs to our club children vs. \$108/day to house a single juvenile at Lincoln Hills. Close to 150 children can be positively influenced daily at the Club vs. one child's daily costs at a juvenile detention facility.

Certainly, the solutions to our rising juvenile issues are complex. But we cannot afford to sacrifice prevention programs for increased deterrence. New educational initiatives to improve school achievement for all students, mentoring programs, safe places for recreational programs, and value building programs each address the challenges facing our children today before they find themselves facing our court systems and often the start of a long journey through our detention facilities. A serious commitment must be made to prevention programs that afford all our children equal opportunities to live and learn.

Before we open it up to questions of the panel and also to the audience, I would like to take a moment to recognize Mr. Ed Krueger, who is here today. Mr. Krueger is Chairman of the Fox Valley Technical College, Department of Criminal Justice. Fox Valley Tech recently received a \$4.5 million contract to provide law enforcement training to police departments throughout the United

States, and we are happy to have you with us here today, and we hope you get a chance to say a few words, Mr. Krueger.

I would like to ask the panel this. Most of us are in agreement that a small group of hard core offenders is responsible for the majority of the violent juvenile crime in our society. I think everybody agrees that we need to remove these hard core offenders from our midst. The question is, do we know who they are, and can we readily identify them, and why is it that they are still walking our streets? Mr. Doyle.

Mr. DOYLE. Well, unfortunately, I think to some degree, this panel right here with this kind of experience could probably identify these people even at the earliest stages of their life. I think one of the saddest commentaries about where we are right now is, we could probably go to the local hospital and go into the birthing rooms there and be shown the babies, and if somebody would tell us what the medical history was of the parents, what the drug and alcohol use was of the mother during pregnancy, what the home was that the young child—what the age of the mother was, what the home was of the mother where the child was going to go, we could probably, with a fairly high degree of accuracy, pick out those babies who we will first see coming through the various systems represented here as children in need of protection and services as abused and neglected children, and who we would later see coming in as first and early offenders, and then on ultimately as adult offenders; the expertise here of this panel, these four individuals, they could probably do that.

As I say, to me, that is one of the saddest commentaries of the situation we find ourselves in. In my view, one of the reasons that we do have the repeat offender is that in Wisconsin we have a Juvenile Justice System that I think is probably quite typical of many around the country in which we do very little the first time the offender comes into court because there are so limited resources. In most of our counties, and Judge Troy maybe would want to comment on it in Outagamie, but I am sure that it is not different from most counties, so much of the budget goes to the incarceration of repeat offenders that there are very few resources left to deal with the young person who comes in the first time on a burglary, or on an auto theft, or on a drug charge, or on something that it is unlikely that he is going to be sent away to Lincoln Hills Juvenile Detention Center. It is something that we need to have consequences, meaningful consequences in our communities, to try to prevent that person from coming back a second time and a third time. The result is that many counties, most counties, what we do is we send that young person home and say "Do not do it again," and for a few people who go back to homes that have some discipline and so on in it, we will not see them again, but for many of them, we know we are going to see them back a second time and a third time, so we have a Juvenile Justice System, I think, in fact that helps create that second, third or fifth offender, and one of the things, I think, we really need to do, in my judgment, is focused both by a change in the law, but even more importantly by the commitment of real resources at the local level to make sure that when that first offender does come into court, there is a work restitution program, a mandatory study program, an intense super-

vision program along the lines that Judge Troy mentioned, a tightly supervised curfew.

Those kinds of meaningful consequences that a judge can impose on that first offender, it will teach a lesson and say to them, "There are limits on what you did. You have violated those limits, and now there are going to be consequences." We will still see repeat offenders coming through that system, but I do think that we have a system now that tends to bring the kids back in a second, third, fourth and fifth time instead of trying to deal with it when they first come into court.

Judge TROY. I would only echo the Attorney General's comments with regard to clear changes that need to be made in our Code and, as Officer Tralongo aptly explained, kids learn that the system is not so bad, and that is not good. It is no better than a parent that continues to promise to punish and never does.

And part of it is a resource problem. There is no question about it. There are some innovative ways to approach it. Through the leadership of the Appleton Police Department, that very process of trying to concentrate on the worst offenders is underway in this community, and it has yielded some effective results so far, and again, I would agree with the concept that the first contact with the system might be the most important, and it has to be one that leaves a lasting impression, and after that lasting impression is made, and the message is sent that this is not a place you want to be again, we cannot leave off our efforts there. Then I think additional work has to be done to show them a different way, to give them the tools to stay out of trouble, and that is the other side of the equation that I just hope they do not forget.

Senator KOHL. I want to ask the panel this question: I think most of us are saying that we are not handling hard core juvenile offenders properly. We all say that. We recognize that we are not dealing with juvenile offenders to begin with properly, but certainly not the hard core juvenile offenders. Well, we have here a judge, the Attorney General, people who are experienced in this whole area, and a U.S. Senator, why are we not doing it? If we profess to society that the problem is as serious as it is, and we want to deal with it—and we all say we want to deal with it—we do not want to just pass the buck and say it is somebody else's fault—why are we not dealing with it more effectively, to say nothing about the problems of children when they are young, which are the most serious things that occur in their lives. They come out of poor families, and by poor, I mean deprived families and, you know, that is what starts them down the wrong road to begin with, but once they become juvenile offenders, and once they enter the system, why are we not doing a better job of dealing with them? Judge Troy?

Judge TROY. We are not sure how to. We are not sure what works.

Senator KOHL. But you said when they come into the system to begin with and you have some very good ideas, you were very specific. Why are we not doing a better job?

Judge TROY. Right now, the present Code, in Wisconsin at least, the present Code inhibits some of the more punitive measures that might seem appropriate for a given kid. That is part of the change that has to be made. On the other hand, we are dealing with kids

who we do not have any track record to know what it is that we can do to stop them or to change them, and that is why ideas like boot camps, are proposed. Now the State is talking about taking even the chronic of the chronic and setting them in a separate State institution outside of Lincoln Hills or Wales. We are going to try that. It is a very difficult problem once a kid gets to that stage, and, so far, the best we have been able to come up with is to separate them, and as a parent, I would want some of those kids separated from my kids. My point is that we need to do this with those kids and not give up on them, but we certainly also need to say what can we do to prevent these kids who are heading in that direction from becoming that way, and that is where some of the resources must be expended.

Ms. KAPALIN. I think one thing that makes it very difficult, at least in my position of dealing with early prevention, is this balance of the question of perpetrator becoming the victim, and if you could hear the stories that I hear from 7 and 8 year olds of the environments that they are growing up in and the abuse that they are experiencing, I will go back to my simple example of growing a crop. It is hard to rage against the fact that this child is experiencing negative behavior because of the fact that, in reality, they have not been given any other value system. They do not know other behavior, and for many of the children that I deal with at the Boys and Girls Club, and the reason I emphasize positive consequences for positive behavior is that is another thing a lot of my kids do not ever see. They only know that they can get in trouble if they do something bad. So what do they want? They want to do something bad because they want any kind of attention, and this seems simple, but I know that at the Boys and Girls Club, for some of the kids that have gone wrong and gotten into trouble, it is actually a badge of honor to go and enter the court system in Brown County. This is a step for them, and their peers recognize them, and somebody pays attention to them, and I think that they need to be paid attention to in a positive way and at the earliest stages.

Senator KOHL. Officer?

Ms. TRALONGO. I will just quote another officer that once said: "The Children's Code is like giving the child a second, and third, and fourth chance." That is how it is written right now, and what Judge Troy said, there are no punitive sanctions, not enough consequences for the first act. I also feel that we are not following up when a child violates a sanction, and the family that is maybe ordered to do something, counseling or whatever, we are not following up to make sure they are all doing that, so putting these kids back into that, as I said, antisocial environment, they are not learning anything from that, and the parents are not getting the counseling that they need either.

Senator KOHL. Is it true that these repeat young offenders know very well that the system is not going to do very much to them, Mr. Attorney General?

Mr. DOYLE. Yes; I think there is little doubt. I hear it from police officers all over the State that the Code does all right with the young person who generally is not in trouble, comes from a pretty good family and does something bad, but for the kid who is testing the system all the way, is pushing it all the way, is seeing what

he can do, that young person finds out fairly quickly in Wisconsin that up to a certain level, you can pretty much keep doing it over and over again.

There are certain lines that you cross over that you may very well end up in adult criminal court, which is a rude awakening for many young offenders, or that may get you into a secure corrections facility at Lincoln Hills or Ethan Allen. I will say a number of major steps have been taken in Wisconsin just in the last year. The legislature has approved and is undertaking the construction of a third secure correctional facility in Wisconsin just because of the volume of people who judges are sending to secure corrections, and we are badly overcrowded at the two facilities that we currently have, so a third one is being built.

In addition, the legislature approved some regional smaller correctional facilities, so that there are quite a few more beds being added to the Wisconsin corrections facilities for juveniles.

In addition, we have made some changes in our law that I think are important. We have, for one thing, opened it up to victims of juvenile crime who now are permitted to come before a juvenile judge and make the same kind of statement about what the crime meant to them. In the past, we pretty much kept the juvenile offender and the victim away from each other, and I think the important part for the juvenile offender is to recognize what they did and the harm that they caused somebody.

So we have made strides in Wisconsin to deal with the repeat violent offender. I think what you are hearing very clearly from this group here is that there needs to be changes made earlier on to try to avoid having—it is fairly easy for Judge Troy, I would assume again, I do not want to speak for him, but to identify the young person that he is going to send to Ethan Allen or to Lincoln Hills. It is much harder for him to try to figure out what to do with that young person 15, 14 years old who has come in from a very bad family background and has committed a serious but still non-violent offense, and that is where we have an enormous challenge both in the law that you have heard a good bit about here, which is obviously a Wisconsin issue, but also the commitment of resources.

You asked the question, why we are not doing it. One of the things is, where do we put the priorities in this State? When we make a State budget, when the Federal government makes its budget, where does it decide where its priorities are? In the last 5 years in Wisconsin, we have increased the spending for adult corrections by over 70 percent, and I have supported that. We have had to do that because we unfortunately have enough people in this State that we have had to lock up. During that same 5 years, we increased the spending for juveniles, different programs in juvenile court and juvenile spending consequences by less than 14 percent. Now that is a statement about priorities in this State, and I am sure we are not different from other States across the country. And what it really takes, in my judgment, is a massive change in priorities to say this is the biggest issue that we are confronting, certainly from a law enforcement point of view in this State, and it means, yes, we have to increase our correctional facilities to hold those violent youths. It also means we need to have money in the

Boys and Girls Clubs. We need to have money in the juvenile court system. We need to give the judges some very practical alternatives. It is a question of priorities.

Senator KOHL. Mr. Robinson, you want to say a word?

Mr. ROBINSON. Yes; I think many times—I guess I am taking a risk here—that the Children's Code of the State of Wisconsin, which I have had the opportunity to serve under since the early 1970's, becomes a scapegoat many times for the problems having to do with juveniles. It is a tool that we can utilize. It is a tool that we can utilize, I believe, effectively in working with kids. It does need some revision. Does it need total revision? I do not believe so. I think it was a very innovative tool that was given to us back in 1978. There are a lot of provisions that are farsighted in the Code, and I believe that they remain current today.

I think we need to take a look at prevention. We look at abused and neglected children. For example, being abused and neglected as a child increases the likelihood of arrest as a juvenile by 53 percent, as an adult by 38 percent, and for a violent crime by 38 percent, a National Institute of Justice Research study. So I think we need to take a look at prevention and putting money there. I think it is a sad commentary in our society that we are pumping money into placing people in jails and prison when what we need to be doing is looking at intervention at a very young age with these kids. We can identify them.

We can identify the hard criminals we have in the City of Appleton. We have targeted them. These are kids that are not going to change, and intervention is not necessarily appropriate in a social work type of way but rather in law enforcement. They need to be enforced into a channel of being placed into the prison, but that is a small percentage. I think we identify maybe five to six youths at any given time here in Appleton who are on this list, so it is a very small percentage, but they account for a lot of crime, and they take a lot of other children down with them. So I think we need to look at prevention; we need to pump money into prevention and especially family support.

Senator KOHL. All right. We would like to hear from the kids. Before we do, I would like to ask Mr. Krueger, would you like to say a word to us? We would like to hear from you.

**STATEMENT OF ED KRUEGER, CHAIRMAN OF THE DEPARTMENT OF CRIMINAL JUSTICE, FOX VALLEY TECHNICAL COLLEGE, APPLETON, WI**

Mr. KRUEGER. Thank you, Senator. As everyone else indicated to you, I am also very, very pleased to see that this hearing is being held in Appleton. It is probably one of the heart areas of our Midwest, and I think it can give you probably a reasonable understanding as to the nature of juvenile crime because we sort of think that in the Midwest area, we have strong stable families, good strong values.

As you indicated earlier, the Fox Valley Technical College—and I serve as the Chair of the Criminal Justice Department—recently in October of this past year received a \$4.5 million juvenile justice grant through the office of OJJDP. With that opportunity, we have been able to provide training throughout the United States. In par-

ticular, there are 11 very specific programs that we deal with. The programs relate to child abuse and management of juvenile operations to interfacing with the multiple agencies that deal with juvenile services that bring them together as a sole source dealing with juvenile issues, school setting problems and the like.

We have offered a number of programs in the Wisconsin area, and a number of things have come out of this, and we have listened to our panelists today, and it is really a bifarcated system, as we are starting to see it. One is, once a juvenile commits the act, then we deal with them in sort of a very direct and punitive measure if we get to that point, and as Officer Tralongo showed you, there is a packet of information there that she has on her desk dealing with juvenile issues. A juvenile may be in the system for an extended period of time before they receive at least punitive measures.

What we have found over the last several months administering the program is that building more prisons is not going to work. Adding more police officers on the street is not going to work. I am not taking the issue that they are not needed, but we know in terms of juvenile crime, that is not necessarily the answer. More police officers certainly are needed, more prisons for the chronic offenders certainly is going to be needed, but what we have found in our various programs that we have offered has really been the issue of abuse; as it relates to physical abuse, as it relates to neglect, as it relates to any issues where, for an example, the parents are not at home, and a lot of this—and you asked for an answer.

I do not think there is a very clear answer because we need to appreciate the fact that the economic setting in the United States today requires not only one parent but perhaps two parents to work, and they are victimized by our own economic setting. As a result of that then, the children are left unsupervised, and as they are left unsupervised, they are finding that their parenting would be by their peer group, or by eventually a gang group, or some other members of society. That is where their leadership is coming from. Why do we say this? Well, we provided training in excess of several thousand individuals just in the short time period that we have had the project.

Of the programs that we offer, the most significant program that we offer presently is that in the area of child abuse. The classes that we have in child abuse, we may have 60, 70, 100 individuals in those programs, and we can probably double those programs at the particular site that we are offering them. The class that we just recently completed in Green Bay where we had in excess of 70, we could have offered a companion class and had an additional 70 people attending it.

The reason for this is that the law enforcement personnel and the social service personnel recognize that the seeds that are planted in terms of juvenile crime are at the early age where there is lack of parenting. It is not a criticism of the parents. We need to recognize that our society is in the situation now that does not effectively allow for correct parenting of children as they grow up through the system.

What happens is the frustration of a parent coming home, and you have heard Mike indicate as one example the statistics as it

relates to abuse and then subsequently crime—what happens is that, we are told, that when a parent comes home or the parents come home, the frustration that they may have that day, they may take out on the children, and the last thing that they want to do is serve as a role model of being a parent, so once again, even when the parents come home, the children are not supervised; the children are still sent out on the street just to give the parents some relief.

Are there any clear answers? I do not think there is a clear answer, but we need to identify where the seeds of the juvenile justice crime problem starts, and the seeds have gone on not with this particular group of kids, but have been planted within their parents, and within their parents, and within their parents. What is the answer?

One of the answers is part of your role, and that is overseeing the juvenile justice programs, in particular the project that we have, and that is, we have, through the efforts of the Federal government, collected in excess of 60 professionals throughout the United States, outstanding resources from the West Coast, the East Coast, the South and the North, and we are now able to provide training not only here in Wisconsin but throughout the United States on issues; those issues as child abuse, the management of juvenile operations, interagency agreements that come about.

As a result of that, we have seen a significant difference in terms of how communities are now collectively handling the juvenile issues, and one of the most major aspects of this has been the fact that we have been in communities where there may have been 13 or 14 different agencies handling juvenile problems, but yet no one communicating or talking together. One of those programs that have come about has been that in terms of development.

So all that being said, I think the initiatives that the Federal government has had in terms of the training has been very significant, and the resources that come about from that, I think, will have a very significant impact. Thank you.

Senator KOHL. Thank you very much, Mr. Krueger.

We would like to hear from some of the young people now. First I would like to ask John Ensley. Are you here, John? Would you tell us about your experience with the Juvenile Justice System.

#### **STATEMENT OF JOHN ENSLEY, A FORMER PARTICIPANT IN THE JUVENILE JUSTICE SYSTEM, AS AN OFFENDER**

Mr. ENSLEY. I was requested to come here today to share my experience in the Juvenile Justice System as being someone who has been through it and gotten help from it. Kind of a rare case. I know many people that I hung out with are still getting into trouble. Many of the people that I got help with—many of the young kids that were with me through my hard times—went back to their old way of life. There are no easy answers, and it is a very complicated problem.

At the age of 14, I had numerous charges of disorderly conduct, trespassing, theft, vandalism. I had a court order to attend drug treatment for chemical dependency. There were other crimes I committed, but I only got caught at a few of them. After serving numerous hours of community service, paid hundreds in fines and

restitution, the police would come to my house almost three times a night. I ran away often. They threatened to take me away. I just kept on—I continued my destructive behavior.

While attending outpatient treatment at CASI, I learned that I was not the bad kid that the teachers, that the police officers, that my parents thought I was. I was just a kid that had some problems that needed to be worked out. While in junior high I was in a program called JOVA which helped kids with their attendance, their academics and gave them incentives of part-time jobs. That also helped a great deal. Programs like that will not help every kid. I know because I have seen kids go through the programs, and they have not gotten help, but they have helped me, and I think that more funding should be given to those kind of programs.

More programs should be created like they were talking about. I think that—I am not saying that the kids should not be punished for what they have done. I mean, for every theft I have done, I have paid it back. For every crime I have committed and gotten fined for, I have paid the fine. I do not think they should be let off, but I do not think they should always be treated like criminals. I think they should be given some help. I think we should look into the problems, and I think that is one of the first steps we have in seeing juvenile crime on the decline. Thank you.

Senator KOHL. Thank you, John. We would like to hear from some of the people in our audience, some of the young people, some of you who are in school. Do you want to make a comment or two? Tell us about juvenile crime as you see it from where you are sitting and standing and where you go to school?

Senator KOHL. What is your name?

Ms. USKY. Dana Usky.

Senator KOHL. OK, and what is your name?

Ms. RUHNKE. Cassie Ruhnke.

Senator KOHL. OK, we would like to hear from you.

Ms. USKY. I guess our concern is more like in questions.

Senator KOHL. All right.

Ms. USKY. And they are questions like, we hear all of these programs, and yet I have never really seen one in action. I mean, I am sure a lot of these are working, but as a student, I do not know of any of these programs, and I think they need to be advertized more. They need to be told more to people because if you say these programs help, then we should be notified of these.

Ms. RUHNKE. How to get in and what they are.

Ms. USKY. Yes; like the Friday night football game, you go to that. If you do not like football, where do you end up going?

Senator KOHL. Where do you go?

Ms. RUHNKE. Big party, get drunk and cause trouble.

Senator KOHL. Say that again?

Ms. RUHNKE. Big party, you get drunk, and you cause trouble.

Senator KOHL. Do you have that kind of thing going on? Are you both in high school?

Ms. USKY. Yes.

Senator KOHL. What year are you?

Ms. USKY. Seniors; both seniors.

Senator KOHL. Seniors. Are there many instances of that kind of an alternative being pursued?

Ms. RUHNKE. Well, there is nothing else to do in the community. What else do you do? If you do not like football, where do you go? What are you going to do on a Friday night? You know, we do not see the community organizations or whatever else they are saying there is. We do not know of them.

Ms. USKY. Like some places have local hangouts or something, some kind of place where you can go, you know, to hang out with all your friends without having to get in trouble, but it seems that the situation we have now is you are either at that football game, or you are off getting drunk, or you go off to like College Avenue, which is like a big place for people to hang out or something, and they are out there, and they get mixed up with people that are so-called criminals or something. there is all these programs, but where are they?

Senator KOHL. Do you all have access to or experience with people who have easy access to drugs in school?

Ms. RUHNKE. I could get anything I wanted whenever I wanted it.

Senator KOHL. Is that right?

Ms. RUHNKE. Yes.

Senator KOHL. Is that right?

Ms. USKY. Yes.

Senator KOHL. So you are saying drugs are very easy to get in and around your school.

Ms. USKY. It is not just our school. It is everywhere.

Senator KOHL. Anywhere you go.

Ms. USKY. That is right.

Ms. RUHNKE. Yes; if you know the people, you can get it. I do not know that drugs are the problem, but I think everybody just needs to be treated like a person. You cannot just say, "If you do this thing wrong, you get this punishment" because for every person, the punishment is going to be different. You know, sending them away for every person is not going to change what they are doing, you know, and drugs have always been around. If that is what the crime increase is, then I do not agree with that.

Senator KOHL. Those are very good comments. We appreciate that. Thank you so much. Who else wants to make a comment? Adults? Kids?

Ms. TRALONGO. I want to make a comment.

Senator KOHL. Officer?

Ms. TRALONGO. I know these young ladies; they are from Menasha. Menasha and Neenah have what we call Youth-Go, and that is an organization in Neenah that is centrally located for kids at risk or any other child that wants to go there afterschool to help do their homework, counseling, free counseling, and just activities that, you know, to pass the time while their parents are at work yet or whatever, or just spend time with other kids.

The majority of kids that go there are the kids that kind of do not fit in with everyone, not necessarily just kids in trouble. I used to be on the youth board there, and it is a very good program. I am not sure why it is not brought into the schools more, but I am hoping that this year they are going to be advertising it for the kids. I think it is a wonderful organization, and I was really proud to be on that board, and I was on the strategic planning, and that

is one of the things that I addressed is that these kids do not know about the programs unless they get in trouble. They are there for all the kids, and maybe we should get more programs in the schools for everyone.

There are a lot of kids that fall through the cracks, because they do not know about these programs that are available, that need some help and do not have the guidance from home, and just because they are not in trouble does not mean that they do not need this kind of service. I think too many times we got programs just for kids that are at risk, or need it, or that have been convicted of a crime, or are delinquent, or whatever. We need it for the everyday kids more than anything.

Senator KOHL. All right. Ms. Kapalin, one of the things that will happen as a result of this Crime Bill is that Wisconsin's Boys and Girls Clubs may get as much as \$500,000 of additional funds to work with. Is that going to be helpful?

Ms. KAPALIN. Well, I would not turn it down. [Laughter.]

It would be great. And I wanted to respond somewhat to the original question of the two girls, and that is that there is not presently a Boys and Girls Club in the Appleton area, but in Green Bay, the club is similar to the program just described in that it does serve primarily at-risk children, and often there is a social status even at that age, and some of the other kids do not feel comfortable coming to the Boys and Girls Club. We recognize this problem, and one of the other issues with the Boys and Girls Club that becomes somewhat frustrating for teens is that it encompasses the age of 7 to 18, and most of these kids will tell you, and I think most of us remember that when you are 16 and 17, you really do not want to be hanging out with 8 and 9 year olds. We would like to do more for teens. We have the clubs there—and be open, especially in the summers, for the teens in Green Bay, and there is one simple factor that is keeping us from doing that, and it is dollars because we have not had the money to do that.

Where we concentrate unfortunately, but hopefully we are looking to the future—a lot of our funds now are in programs for the 6 to 9 year olds because we are going back to the earliest prevention, really trying to work into value building with those kids, and, in a way, where we somewhat decreased our funding is for the teens, and that is unfortunate, and what we really need is increased community support and dollars to open the club and have specific times for teens only so they can feel comfortable and have a place to go with their friends.

Senator KOHL. Any other comments from our audience? If you would like to come forward, we would like to hear from you.

What is your name?

Ms. HEATH. Becky Heath.

Senator KOHL. Becky, go ahead.

Ms. HEATH. From what I have heard so far today, it seems like the Wisconsin Code for juvenile crime needs to be changed, and I was wondering, if it needs to be changed so badly, why has anything not been done about it earlier?

Senator KOHL. Mr. Attorney General? [Laughter.]

Mr. DOYLE. Well, I think that what we have had is a real change in circumstances over the last 5 to 10 years. The Code was adopted

at a different time, in the mid 1970's. It was adopted when we had real problems in Wisconsin that we do not have anymore, like kids being thrown into adult jails and being held with adult prisoners, and there was a lot of concern about how Wisconsin was handling juveniles in those days just as there is now, and so the Code was enacted.

I am getting old enough now, I remember as a district attorney I testified against the current Juvenile Code in 1977, I believe, on behalf of the District Attorneys Association. Here I am 16 years later trying to get it changed again, so I think we have seen very dramatic things happening, changes as far as the kind of crimes that we are seeing. I had made a proposal last legislative session that would have called for a major change, and what the legislature did in response was to set up a study committee, so at least we got that far with it, and I think it is quite clear that the legislature is prepared to take this on when they come back into session, but I think it is not so much that the law was bad all the way along. I think that circumstances have changed, and the law now has to change to catch up with the circumstances.

Senator KOHL. All right. Any other comments? Yes, ma'am. What is your name?

Ms. BERNDT. Kathy Berndt from Oshkosh.

#### **STATEMENT OF KATHY BERNDT, OSHKOSH, WI, "TOUGH LOVE" ORGANIZATION**

Ms. BERNDT. First, I wanted to respond to this last young girl. I have a newspaper that details in 1989, and we are talking 5 years ago, the headline was "Childrens Code Has Deficiencies." Five years and we are still back—we are still at ground level? And they need to move ahead? They need to do something?

OK, I am from Tough Love in Oshkosh. It is an international group, and I am from the Oshkosh chapter. We brainstormed last night at our meeting. We meet every Tuesday night at Oshkosh and we came up with five simple things, maybe not a panacea, but five simple things.

First, we need fast and immediate consequences. The parents from Tough Love, they come—the ones that are concerned about their kids—the ones that do not care about their kids, we do not see because they do not care, but the ones that we do see are concerned, are good parents, and we get them after they do not know what to do anymore. All the agencies have not helped them. They have gone to their minister; they have gone everywhere for help. There is no help. So they come to share with other parents to know that they are not alone. The guy next door, his kids are quote, "perfect," and they feel like they are all alone. They do not know where to go. OK, need fast and immediate consequences. They go into juvenile intake, 4 months down the line, they might get seen, and then they go to—well, in Winnebago County, to restitution. That might be 6 months down the line. By that time, the kid has forgotten what he has even done, and it is not poignant anymore.

Second, there are currently no enforcement for consequences. And that is where the teeth in the law is that they are talking about. There just is not any; not that we see.

Third, consistent followup, and that is for anything. When a child burns himself, you say, "No, no, do not do that." Well, if he burns himself hard enough, he is not going to do it again. They are saying parent consistency needs to happen. Also, in the system, it needs to happen too. Consistency needs to be there.

Fourth, support from the juvenile system to empower parents as well as benefiting the child. It is an either/or situation. It is the kid's fault; it is the parents' fault. Let us all get together on this.

Fifth, improved communication and coordination between involved agencies. To set up more agencies is foolish. We need to get together; communication and coordination all in one, because that is why 5 years and we are still working on the same thing, only it is getting worse. Nothing is happening; nothing is being done. So to set up more agencies is foolish in my estimation. Let us get together and coordinate it and have some good communication because there are good kids out there. That is all I have to say.

Senator KOHL. All right. Thank you. [Applause.]

Well, just to quickly summarize what we have heard today, we clearly have a serious, if not the most serious, problem in our society, taking care of our young people and providing for their future. When people say our kids are our future, clearly that is the case, and we live in a much more complicated society today. When I grew up, things were a lot easier. I came from a two-parent family, and probably 98 percent of all of my friends came from a two-parent family, and all of us went to school and had enormous respect for authority.

We did not have the negative influences that are present today. There were no drugs on the street when I was young, and there were no guns, and there was no television, so that was a different time, but today we are living in a much more complicated world that has problems that did not exist then. We have not yet learned how to deal with these problems as effectively as we need to to handle our kids in the complicated society in which they are growing up, but I think we are all determined to do that as a society and, I think, as individuals. I think everybody is really determined to get at the many answers that need to be brought to the table to do a better job with our kids, and I think we are going to get there.

Oftentimes, they say it is darkest before the dawn, and I think when it comes to our kids and how we are dealing with them, and how we are missing out, not doing it as well as we should, I think it is darkest right now, and I think things are going to get a lot brighter in the years to come, not the least because we are here today and because people like ourselves care as much as we do.

So I want to thank you all for coming, and I think we have all learned a lot from listening to each other.

This hearing is closed.

[Whereupon, at 12:25 p.m., the Committee adjourned.]







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